



Newbold & Stead, Lith. York.

SWINTON PARK,
THE SEAT OF MRS DANBY HARCOURT

THE
HISTORY AND ANTIQUITIES
OF
MASHAM
AND
MASHAMSHIRE;

TOGETHER WITH

AN ACCOUNT OF ITS SEVERAL FRANCHISES, ITS ANCIENT LORDS,
RECTORS, PREBENDARIES, VICARS, CURATES, &c., &c.;

AND

APPENDIXES, CONTAINING COPIES OF SEVERAL CHARTERS, GRANTS, AND OTHER
IMPORTANT DOCUMENTS RELATING TO THE MANOR, FOREST,
FREE WARREN AND FREE CHASE, MARKETS, FAIRS,
PREBENDAL CHURCH, &c., OF MASHAM.

With numerous lithographic and wood-cut Illustrations.

By JOHN FISHER, Esq.

(MASHAM).

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Dedicated

TO THE MEMORY OF

VICE-ADMIRAL OCTAVIUS VERNON HARCOURT,

LORD OF THE MANOR OF MASHAM AND MASHAMSHIRE,

WHO DIED THE 14TH OF AUGUST, 1863,

IN THE 70TH YEAR OF HIS AGE;

And in grateful acknowledgment of his many inestimable virtues; the urbanity of his manners, and gentleness of his disposition; his skill and uprightness, combined with moderation, in the dispensing of justice as a Magistrate; his liberality and considerate conduct as a landlord; his extreme kindness to the poor, and attention to their many wants; and his unbounded munificence to charitable institutions calculated to benefit his fellow-man; his patience and christian resignation when under affliction; and, whilst calmly awaiting his dissolution, his entire trust and confidence in the merits and efficacy of the blood of his crucified Saviour and Redeemer.

BY THE AUTHOR.

Obituary.

ADMIRAL OCTAVIUS VERNON HARCOURT.

THE death of this estimable gentleman took place at Swinton Park, near Masham, on Friday, August 14th, 1863, at half-past ten in the evening. He was the eighth son of Dr. Edward Vernon, late Archbishop of York, who took the surname of Harcourt by Royal sign manual in January, 1831, on his succeeding to the estates of the last Earl Harcourt. The gallant Admiral was born on the 26th of December, 1793, at Rox Castle, in Cumberland (his late father being then Bishop of Carlisle) and was consequently in his 70th year at the time of his death. He entered the navy in August, 1806, as midshipman on board *The Tigre*, 74, Captain Benjamin Hallowell, and, on attending the expedition to Egypt, in 1807, he witnessed the surrender of Alexandria, and was much employed in boat service on the river Nile. After assisting at the blockade of Toulon, and contributing to the destruction of the French ships of the line, *Robuste* and *Lion*, towards the close of October, 1809, he accompanied Captain Hallowell, on his promotion to Rear Admiral, into *The Malta*, 80, and continued to serve with him in that ship on the Mediterranean Station, until the receipt of his last commission on the 11th January, 1814, co-operating intermediately with the troops on the south east coast of Spain, and serving in the batteries at the siege of Jarragona. He next joined *The Mulgrave*, 74, Captain Thomas James Maling, and, while cruising in that ship off the coast of Italy, he landed with a party of seamen and marines near Piombino, where he captured a Martello Tower, and brought out, or destroyed, a convoy anchored under its protection. During the war of one hundred days, he served in *The Amelia*, 38, Captain The Honourable Granville Proby, at the blockade of Elba; and on the intelligence arriving of the surrender of Buonaparte, after the battle of Waterloo, he was sent with a major of the Tuscan army to summon the town of Porto Ferrajo. Quitting the latter vessel in 1816 he remained on half-pay until the 2nd of February, 1818, when he was appointed to the *Sir Francis Drake*, flag ship of Sir Charles Hamilton, at Newfoundland, where he obtained command on the 3rd of February, 1820, of *The Drake* Sloop, and for a short time in the same year, of *The Carnation*, 18, and, during that year, discharged the duties of surrogate at Newfoundland. He afterwards joined, on the 5th of June, 1824, and on the 30th of May, 1835, *The Britomart*, 10, and *Primrose*, 18, both employed in the West Indies, from which station he returned to England with upwards of a million of dollars, in July, 1827. On the 7th of the following month he was promoted to the rank of Post Captain, and about the same time was selected by the Lord High Admiral to act as his Aide-de-Camp in the *Royal Sovereign* Yacht, on the occasion of a visit of inspection to the various seaports. On the 26th of March, 1834, he was appointed to *The North*, 28, in which vessel he took out H. Hamilton, Esq., the British Minister, to Buenos Ayres, and

was then employed in surveying the coast of Central America and California, and ultimately returned to England with a large freight. Since the 27th of October, 1836, he was on half-pay; and on the 26th of October, 1854, he was promoted to the rank of Rear Admiral on reserved half-pay, under Her Majesty's Order in Council of the 25th of June, 1851. On the 22nd of February, 1838, he married Ann Holwell Danby, the widow of William Danby, Esq., of Swinton Park, and by her, and in her right, he became lord of Masham and Mashamshire, and into the possession of a handsome rent-roll. Immediately on his marriage he took up his residence at Swinton Park, which he has ever since made his principal residence. Very soon afterwards he was placed on the commission of the peace for both the North and West Ridings of Yorkshire, and then became a very active magistrate for the district, and so continued until March, 1856, when he was overtaken by the sickness which ended in his death. In his magisterial capacity he was remarkable for great painstaking, and for tact and discernment in arriving at the truth; and when called upon to put into execution the correctional arm of the law, he ever tempered mercy with justice, and thus became, as he deserved to be, very popular throughout the district. In the year 1848 he was appointed to the office of High Sheriff of Yorkshire; and he discharged the duties of his office in a highly satisfactory manner, fully maintaining its dignity by his gentlemanly bearing and a liberal hospitality. He has ever been a great benefactor to the Church. He built at his own expense a very handsome Church and Parsonage upon his estate at Healey, near Masham, which he amply endowed; also another Church at Bent Tor in Devonshire, the endowment of which he also considerably augmented. He also restored at his own cost, and in a most efficient manner, the Parish Church at Masham, besides contributing very largely to the funds for the erection of several other churches, not only in this but in other counties. He was likewise a liberal contributor to the funds of the several societies having for their object the building, enlarging, and endowing of churches in England, as well as the colonies; also for promoting the employment of additional curates in populous places, and for promoting and encouraging the extension of a sound and religious education amongst the people. In the year 1858, he erected in Masham six neat and commodious Alms-houses for the benefit of the poor of the parish, and these he endowed by transferring to trustees for the benefit of the Charity, £1,775 three per cent. Consols, besides contributing with a princely munificence to the Riddell Memorial Mechanics' Institute in Masham, the Masham Grammar School, the Masham Free School, the Infant School, and the Free School at Kellbank near Masham, as well as to the funds of all the local Charities. For several years past he has regularly distributed £100 a year amongst the necessitous poor of Masham; in short, his contributions to charitable and other objects, calculated to benefit his fellow-men, were in truth without stint, and their full extent is unknown, for he ever loved to do good without ostentation or publicity. He was also a kind and liberal landlord; and as such his memory will ever be held dear to a numerous and devoted tenantry.



MASHAM CHURCH, NORTH WEST.

THE HISTORY OF MASHAM AND MASHAMSHIRE.

INTRODUCTION.



HERE seems to be something in our very nature which causes us to look back with an indescribable feeling of pleasure upon the scenes of our childhood, and to view with an inexpressible delight the spots where we, with joyous companions like ourselves, spent the happiest portion of our days, freed, as they then were, from the cares and anxieties of after life: where every surrounding object seems vividly to call back to our minds happy reminiscences of the past; and the scenes too even of our riper years, where we battled with the outer world with the ever varying successes of life: now big with hope and high expectations, and anon depressed with gloomy fears: now on

the very verge of ruin, and anon in the heyday of prosperity: are hardly less the objects of our interest, and afford us, after they are past and gone, useful reflections, how we escaped the threatened evil, and in what manner we accomplished the good. The places too, where our forefathers, and those whom we loved best here on earth "lived, and loved, and died"; the church where they worshipped, the altar at which they were joined together in holy wedlock, the baptismal font at which they, with ourselves, were received into communion with Christ's church here on earth; and the very graveyard in which their bodies now lie mouldering in the dust, and

Into whose furrows shall we all be cast,
 In the sure faith that we shall rise again,
 At the great harvest, when the Archangel's blast
 Shall winnow, like a fan, the chaff and grain,
(LONGFELLOW)

are equally the objects of our fond affections. The following lines, from one of HENRY KIRKE WHITE's earliest productions, is so very apposite to my own feelings upon the subject, as here expressed, that I am induced to introduce them here.

Pictured in memory's mellowing glass, how sweet
 Our infant days, our infant joys to greet;
 To roam in fancy in each cherished scene,
 The village church-yard, and the village green,
 The woodland walk remote, the greenwood glade,
 The mossy seat beneath the hawthorn's shade,
 The whitewashed cottage, where the woodbine grew,
 And all the favourite haunts our childhood knew!
 How sweet, while all the evil shuns the gaze,
 To view the unclouded skies of former days!

Such being the feelings which I am persuaded pervade the breast of all, it is unnecessary to make any apology for thus attempting to trace the past history of their childhood's home, or the place of their adoption, whichever it may be.

It is not intended in these pages to indulge, on the one hand, in the dry and often contradictory speculations of the antiquary, for that would tend to puzzle and embarrass the general reader, rather than instruct and interest him; nor, on the other hand, to present him with a mere "fancy's sketch," although the richness and acknowledged beauty of the scenery of Mashamshire, with its historic reminiscences, would afford abundant scope for the imagination and pen of a Poet. The object of these pages is far otherwise, namely, to give a plain and unvarnished account of the past history of the place, as far at least as it is known, written in plain and intelligible language, so as to be readily understood by the ordinary reader.



LOW FORS, IN RAYDALE-SIDE.

DERIVATION OF THE NAME OF MASHAM.

With regard to the name of Masham, happily it is not, like the names of other places, involved in much mystery, and is consequently of a very easy solution. As far back as we can trace, it has been written as it is now invariably pronounced, namely, Massam or Massham (but mostly in the former fashion, and not as now Ma-sham) ; Mass was then spelt with a double ss, as it ought to be. In Domesday Book, which was compiled by the direction of William the Conqueror, and was completed A.D. 1086, it is spelt Massan, the termination *ham* having been turned into *an* by our old enemies the Danes,* who, previous to the Conquest had overrun and possessed themselves of this district, and altered the terminations of the names of many places in it to suit the genius of their own language. The original termination of the name of Massam, was, however, very soon resumed, as appears by all the subsequent ancient documents connected with the place.

The word Massham is derived from the two words *Mass* and *ham*. The word *Mass*† originally implied only a religious festival, and it was in this sense used long before the introduction of the sacrament now known by the name of the mass, in the word Christmas, which signified the festival of the Nativity of Christ. By degrees, however, it came to be used for the church-service, and from its signifying the church-service in general

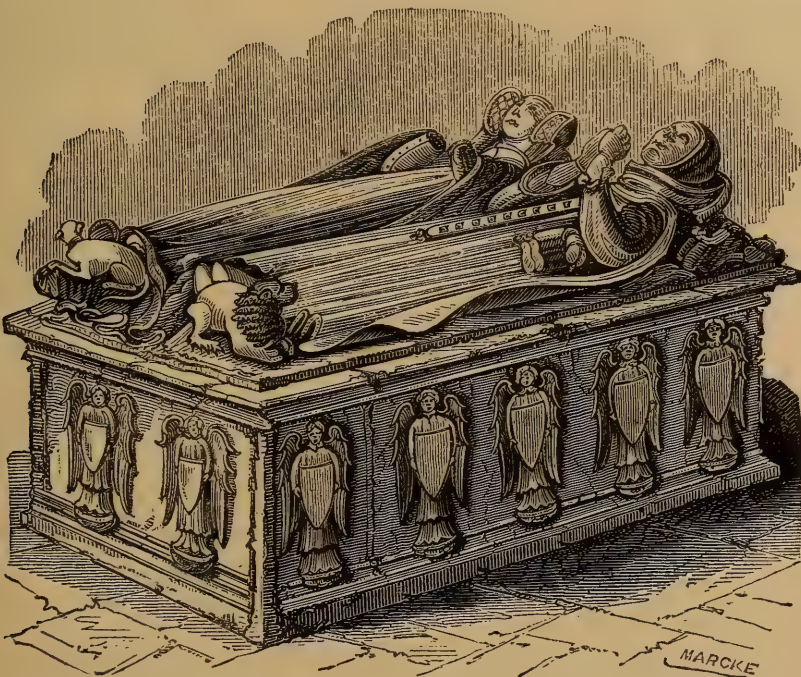
* The powerful Gospatric, who was the Lord of Masham town at the time of the Conquest, was a Dane. There is also every reason to believe that the valiant Earl Siward, another Danish chieftain, had one of his seats within this parish in the time of Edward the Confessor. For an account of these lords, see *post*.

† Archdeacon Churton, in his "Early English Church" says, "Mass, in the old English or Saxon language, meant a *feast*—the holy feast of the Lord's Supper."

it came at length to denote the communion-service, or mass, in particular; and the word *ham* (which is Saxon) signified a village. Thus we see that the word Masham properly signifies the village, or place where the religious festivals of the church are celebrated.

This name was no doubt given to the place on the original building of the church here, in the Saxon era, some ten or twelve hundred years ago at the least, and that too, in the place of some other name of heathenish origin, which had been given to it by our pagan forefathers, but now passed into oblivion, like many other things connected with Masham and its church, which, if still existing—

“What tales could they tell,
Of the merry peals rung on the old church bell;
How recount they the scenes, when the yeoman or lord
Was wed, or was laid 'neath the soft green sward.”



LOCAL DESCRIPTION OF MASHAM AND NEIGHBOURHOOD.

The Parish of Masham is situate on the banks of the river Yore, at the southern extremity of the North Riding of Yorkshire, and forms the boundary line between the North and West Ridings of that County. Protected on the north by the Gebdykes-hills, and on the south by the range of hills, of which Nutwith is the chief, that portion of the Parish lying to the east forms a rich and fertile vale; whilst the western portion, which extends to, and takes in the extensive moorlands to the west, where

“To his cackling dames,
On blooming heather and secret lawns dispersed—
The gor-cock calls the sultan of the grove,”

is less fertile and more bleak and rugged in its character.

Abounding in every part in hill and dale, and in wood and water, Mashamshire presents an endless variety of the most picturesque and striking landscapes.

“Here hills and vales, the woodland and the plain,
Here earth and water seem to strive again;
Not chaos-like, together crush'd and bruis'd,
But, as the world, harmoniously confused:
Where order in variety we see,
And where, though all things differ, all agree.”

POPE.

The hills—as they recede from the western moors (where they rejoice to their very summit in the purple heather), and approach towards the town of Masham,—although still bold in outline, lose much of their mountainous character without becoming tame, and with the valleys below, present a rich and luxuriant appearance, at the same time affording abundance of food for both man and beast; whilst many lesser dells—which intersect it in different directions, here and there

assume the form of deep and rugged ravines*—serve to mark the violent convulsions which nature has undergone in these parts—the effect of volcanic eruptions, which

“Down the vales in masses threw,
Craggs, knolls, mounds, and confusedly hurl’d
The fragments of another world!”

and contrast the more strongly with the adjoining valleys.

It is, however, its woodland scenery, with its exuberant foliage, for which Mashamshire stands pre-eminent. Few places, indeed, can vie with it, either as to the quantity or the grandeur and magnificence of its forest trees, “all tinged with varied hues,” especially the oak, “the king of the forest,” which here grows to an amazing size, and contributes largely to the supply of material for the “wooden walls of old England.” When viewed from the distant hills, on approaching it from Bedale or Ripon, the Town with its lofty spire, whose “silent finger points to heaven,” presents the appearance of being situate in the midst of a vast forest, backed with a double range of lofty hills, with here and there only, patches of land, and the more prominent of the villages and houses peeping above the trees, with the silvery waters of the Ure, gliding slowly and majestically on in its winding course at the foot of the valley, giving grace and dignity to the landscape.

“Here waving woods—a mass of living green—
With varied shade diversify the scene;
Flowers of all hues perfume the haunted dell,
Where streams descend, and bubbling fountains dwell;”

“And ever, as the summer sun goes down,
From bank to bank, amidst yon leafy bower,
The woodland songsters trill harmonious notes:
Till every tree that crowns the verdant steep,
Or shades the stream, that flows in amber light,
Sends forth its melody.”

* Quarry-gill and Arnagill, or Eagle’s-gill, are especially worthy of notice, and ought to be visited by every tourist.

Interesting as Mashamshire may be to the lovers of the beautiful in nature, it is not the less so to the lovers of antiquity. To use the language of Professor Phillips—in his “Rivers, Mountains, and Sea-coasts of Yorkshire,” when speaking of Masham—“it is full of antiquarian reliques;” reliques, as will be hereafter seen, embracing the Early British, the Roman, the Anglo-Saxon, the Norman, and the Mediæval periods of our history—besides being surrounded on all sides by, and in the immediate vicinity of the ruins of innumerable castles and abbeys, which stand like monumental pillars in the stream of time, inscribed with the names of England’s native chivalry and early hierarchy, to perpetuate their patriotic deeds and works of piety.

“I do love these ancient ruins—

We never tread upon them, but we set

Our foot upon some reverend history;

And, questionless, here in this open court,

Which now lies naked to the injuries

Of stormy weather, some men lie interred

Who loved the Church so well, and gave so largely to’t

They thought it should have canopied their bones

Till doom’s-day. But all things have their end,

Churches and Cities:”—*Webster’s Duchess of Malfi*.

For instance, at Aldburgh Hall, we have the site and groundworks of an ancient castle, supposed to have been a Roman fortress, and which, very soon after the Conquest, was one of the granges belonging to the monks of Fountains.

At Tanfield, we have the remains of Tanfield Castle, which was at a very early period the property of the knightly families, the Gernegans and the Fitzhughs, by the latter of whom it was carried in marriage, early in the thirteenth century, to the equally knightly family of the Marmions, whose remains lie buried in the Maud Marmion Chantry (founded by her, A.D. 1343) in the adjoining church, where are monumental effigies of some of the Marmions.

“But now th’ unsightly brier grows,
 Where once in gilded bower,
 The Queen of Beauty trained the rose—
 Herself a fairer flower.”

At Snape, we have another castle, which was anciently the seat of the Fitz-Randolphs, Lords of Middleham, and afterwards of the Nevilles, Lords Latimer.

“There is a spirit brooding o’er these walls,
 That tells the record of a bye-gone day;
 When, ’midst the splendour of thy courtly halls,
 A pageant shone, whose gorgeous array,
 Like Pleasure’s golden dream, has passed away;
 Where Beauty’s smiles, and willing graces, lent
 The witching radiance of their love-lit ray;
 And from the scene a mingled strain was sent
 Of music, laughter, festive song, and merriment.”

RAGLAN.

In the neighbouring church at Well, is an Elizabethan monument of John Neville, the last Lord Latimer (1577), as, also, a brass of Dorothy Neville, the predecessor of Queen Catherine Parr, in Lord Latimer’s bed and affections, and the mother of the Lord above mentioned.

Well church has been recently restored, and has, consequently, lost much of its ancient character, particularly in the interior. There was a curious representation of the Almighty in stained glass, with the arms of Neville on his breast. *This* has disappeared! If yet entire, it should be restored to its old place in the vestry window.



NEVILLE.

At CLIFTON CASTLE, we have the site of the ancient Castle of the Scropes, Lords of Mashamshire—

“Its huge old halls of knightly state,
Dismantled lay and desolate.”



CLIFTON CASTLE.

In the adjoining parish of Kirkby Malzeard, we have what Pennant, the naturalist and antiquary, describes as “the remains of Mowbray’s Castle-hill, which are unquestionably Roman; a square defended on one side by the steep of the hill, on the other by a dyke and deep ditch on the outside;” referring to one of the many castles of Roger de Mowbray, one of the great and early Lords of Mashamshire, but of which castle not one stone is now left upon another.

“Where is mighty Mowbray’s Hall,
 The Chieftain’s voice—the clang of war;
 The tower—the battlement so tall,
 The Beacon flaming from afar?

* * * *

’Tis gone, and merely left a name,
 Gone like the meteor’s rapid light.

* * * *

The pride—the strength—the dread array,
 The feudal lord—the warlike throng,
 The Castle towers have past away,
 Save in historic page or song.”

A little further distant is Ripon Minster, where rest the bones of St. Wilfrid; and near to it is Fountains Abbey (of world-wide fame, and therefore needs little description), which was founded A.D. 1132, and to which the Lords of Mashamshire were great benefactors. Here we find

“The fair wrought shaft all ivy-bound,
 The tow’ring arch with foliage crowned,
 That trembles on its brow sublime,
 Triumphant o’er the spoils of time.”

BLOOMFIELD.

At Bramley Grange and Pott Grange, the monks of Fountains had granges, in addition to the one they had at Aldburgh, already alluded to. Pott Grange is remarkable as being the birthplace of William Ascough, who became Bishop of Salisbury, and was murdered by the mob in Jack Cade’s insurrection, on the 29th June, 1450, as well as of others of the same name and family, who were Lord Mayors of York. At Colsterdale, the monks of Jervaux had also a grange, and where mines were worked as early as the reign of Edward I.*

At Bedale, we have the site of a castle, which was the residence of, and is supposed to have been founded by Brian Fitz Alan, Earl of Arundel, a younger brother of the Earl of Richmond. In the church is the effigy

* Sir Walter Scott, in his *Ivanhoe*, makes Prior Aymer, of Jervaux, an important personage.

of Brian Fitz Alan, as, also, a portion of an ancient Saxon tomb, and in the churchyard are the remains of a Saxon cross.



JERVAUX ABBEY.

On the very border of Mashamshire is Jervaux Abbey, which was originally founded A.D. 1144, at Fors, in Wensleydale, by Akarius Fitz Bardolph, an illegitimate brother of Alan Rufus, an early Lord of Mashamshire, but was, A.D. 1156, removed to its present situation, when it received considerable benefactions from the then Lord of Mashamshire.

“Here science calmly rear’d its laurell’d brow,
And learning sheltered in the sacred pile,
Asylum soft; where toiled the busy pen,
Transcriptive, volumes multiplied: ere yet
The metal type, and ponderous moving press
Had lent their magic art to literature.”

At Coverham,† we have another abbey of considerable

† Coverdale has the honour of being the birthplace of Miles Coverdale, the English Reformer and Bishop of Exeter.

celebrity, which was founded by Ranulph, the son of Robert Fitz Ralph, the Lord of Middleham.

“Where now the grass exhales a murky dew,
 The humid pall of life—extinguished clay,
 In sainted fame the sacred fathers grew,
 Nor raised their pious voices but to pray.
 Where now the bats their wavering wings extend,
 Soon as the gloaming spreads her warning shade,
 The choir did oft their mingling vespers blend,
 Or matin orisons to Mary paid.

BYRON.

It is remarkable that in the churchyard at Coverham, one can neither see the church nor hear the bells. The ground descends so rapidly from the church, that at the bottom of the bank the church cannot be seen, whilst the noise of a water-mill, which is close by, prevents one from hearing the sound of the bells.



MIDDLEHAM CASTLE.

At MIDDLEHAM we have another castle, which has been rendered famous in history by its many mighty possessors.

It was founded A.D. 1190, by Robert Fitz Ralph (grandson of Ribald, one of the followers of William the

Conqueror), who was the third Lord of Middleham. Middleham Castle came to the Nevilles by "the fair and gentle" Mary, daughter of Ralph Fitz Randolph, who married Robert de Neville, son of the Lord of Raby, whose grandson, "the Peacock of the North,"

"in bold prosperity,
Of colours manifold and bright,
Walked round, affronting the daylight."

WORDSWORTH.

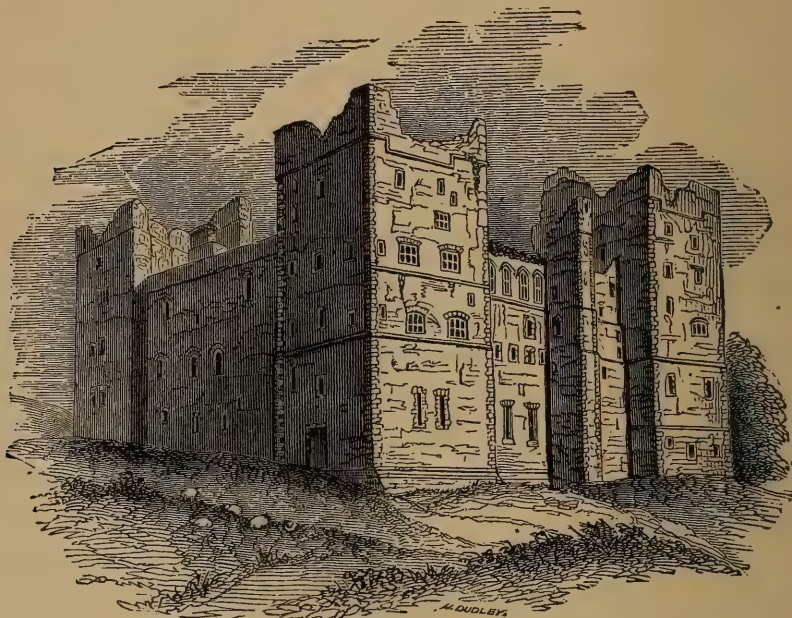
From this marriage descended the Earls of Westmoreland, who thus becoming possessed of Middleham Castle, it became the favourite residence of the powerful Nevilles, who acted an important part in the public affairs of this country in the fourteenth and fifteenth centuries. Ralph Neville, a younger brother of the Lord of Middleham, was the hero of the battle of Neville's Cross in 1346. John, Lord Neville, who died in 1388, highly distinguished himself in the wars of Scotland, France, and Turkey. Ralph Neville, Earl of Westmoreland, who succeeded him, was the betrayer of Archbishop Scrope and his principal supporters, in 1405. He is a principal character in Shakspeare's "King Henry IV." But the most celebrated of the owners of Middleham, was Richard, Earl of Warwick, "the setter up and plucker down of kings." Here, the great "Kingmaker" frequently had for his guest Edward IV. After the death of Warwick on the field of Barnet, in 1471, Richard, Duke of Gloucester, afterwards Richard III., who married Warwick's youngest daughter, came into possession of Middleham, and often resided at the Castle,* where his only son was born in 1473. In the language of W. G. M. J. Barker, in his 'Three days of Wensleydale,' "There dwelt the mighty Earl of Salisbury and his yet mightier son—the renowned "King-

* Sir E. B. Lytton, Bart., in his 'Last of the Barons' says, "Middleham, not Windsor, nor Shene, nor Westminster, nor the Tower, seemed the Court of England" at this time, to such a state of importance had it then been risen by its mighty owners.

maker," Warwick. There, too, dwelt Richard, Duke of Gloucester (Warwick's son-in-law), and England's third Richard; and there, that monarch's only son, Edward Prince of Wales, was born 1473, and died 1484. 'The White Rose' early drooping." And he might have added that it was from hence that the Earl of Salisbury marched through Craven, at the head of 4000 men, belonging to this district, to the battle of Bloreheath, in 1459. And further on he adds, "Altogether, the castle, by historic recollections, is rendered one of the most interesting in the north of England. As we pace its deserted courts, or stand within its roofless walls, imagination may well recall the by-gone. The trumpet sounds—the armour clashes:—the gorgeous Edward—the munificent Richard—fair Anne of Warwick—her Duchess sister—people these desolate rooms. Lady, knight, damoiselle, and damoiseau, flit past us in brilliant pageantry. * * * Anon, the scene changes:—night hovers over the castle—the young moon vainly struggles with the dim clouds—torches supply their place—there are guards and a prisoner—we hear the death axe fall on the unhappy Falconbridge:—we start from our day-dream—all are gone:—feasters and sufferers—nobles and soldiers—we are standing in a banquet-hall deserted, and the jackdaw's cry awakes the echoes of the trumpet's sound."



And in near proximity to it is Bolton Castle, remarkable as having been for about two years the prison-house of the unfortunate Mary, Queen of Scots, previously to her removal to Tutbury Castle, in Staffordshire.



BOLTON CASTLE.

It was at Bolton Castle that the Duke of Norfolk made his fatal overtures to the Queen, which led to his death on the scaffold. During the civil wars, it was long defended for the king by Lord Scrope, and a party of Richmondshire militia, against the Parliamentary forces, but ultimately on the 5th of November 1645, surrendered by them on honourable terms. In the meantime, however, they no doubt sang lustily—

“Our Donjon tower is stout and tall,
Each rampart mann'd and steady;
And loyal hearts from every wall,
Shout '*Roundheads*,' we are ready!”



LAKE SEMERWATER.

RIVERS, BROOKS, AND BECKS.

MASHAMSHIRE is watered by the river Yore and its tributary, the Bourne, together with several other mountain streams which empty themselves into the latter.

The principal and most important stream is the Yore. There has been much needless controversy at different times as to the etymology of "Yore." There can be no doubt, however, but that in the time of the Romans, it was called "Urus," as being descriptive of its rapidity. Such was, and still is, the characteristic of the Yore, before, at least, it reaches Mashamshire—the Latin word "Urus" signifying a beast like a bull (that animal being at that day remarkable for its impetuosity and swiftness) is, therefore, very applicable to such a river—hence the name "Ure" or "Eure". The Saxons, however, as was common with them in their day, prefixed the letter J to it, and by otherwise altering the Roman name, by dropping the Latin termination *us*, to suit the peculiar genius of their own language, called it "Jer," or "Jor," or "Jore," rather from the sound than from strict orthography. Hence we have "Jore-Vallis," as inscribed on the tombs in Jervaux Abbey, and the present name of Jervaux (the Normans having in their turn changed the termination "vallis" a vale, into "vaulx" or "vaux," as we now have it). Thus we see how the names "Ure," "Eure," "Jer," "Jor," and "Jore," have sprung from the Roman name "Urus." Lastly, the Danes turned the J into Y, the J in their language having the sound of the English Y. Mr. Barker, before alluded to, who it will be remembered, used, when living, to date his poetical and other effusions from "The Banks of the Yore" (and was an advocate for the name of "Yore"), says this — "From all preserved documents, Papal Bulls, Royal Charters, Feudal Grants, and family papers, which I have hitherto investigated, as well as in the

local pronunciation, I consider my orthography justified, and adhere to "Yore." I can only say in answer to this, that although I certainly have not had the advantage of inspecting any "Papal Bulls" (and I cannot see what the Pope or Papal Bulls could have to do with the Yore) I have carefully examined many of the other early documents alluded to, and until within a comparatively recent period, I have invariably found it called "Jor" or "Jore." For instance, Earl Alan and Roger de Mowbray, in their grants, call it "Jor" or "Jhor"; "Yore" does not appear until more modern times, and is evidently a Danish corruption of "Jore." See page vi. of the preface to Worsaae's *Danes and Norwegians* as to this.* The explanation is the Danes wrote it Jore and pronounced it Yore, so both names are right. By whichever of these names it is called, whether the Saxon "Jore," or the Danish or more modern "Yore," it loses it at Ouseburn, where it is joined by, and unites with the Swale, and the insignificant Ouse, and taking the name of the "Ouse," it becomes the greatest stream in Yorkshire, and on its being again augmented by the Derwent, it becomes the mighty Humber. There can be little doubt, however, but that in ancient times, the Yore, or Jor, or Eure, retained its own name as far as York, and that York derived its present name from it,† York being formerly called "Eurewic," and Yorkshire "Eurewick-scire." Even so late as A.D. 1285, it was called "Jor" as far as York, as appears by a charter of that date, of Edmund, Earl of Cornwall, Lord of the Barony of Knaresbrough and Manor of Aldborough, by which he

* That learned author there says, "J has the sound of the English Y, as in Jarl (Yarl, Earl) Jorvik (Yor-vik, York)." Many instances will also be found in the course of these pages where the letter Y is substituted for both G and J, as in "Yven" instead of "Given."

† Mr. Worsaae, in his 'Account of the Danes and Norwegians in England,' at page 32, says that the Danes called York 'Jorvik,' that is, they wrote it 'Jorvik,' but as stated in the preface to that learned work, they pronounced it 'Yorvik;' "hence," he says, "it is plain that the form 'York,' now in use, is derived."



HARDKAW SCAUR.

gave to the monks of Fountains, a passage on the waters of Jor [not Ouse or even Yore] from Boroughbridge to York, free from tolls, passage, or pontage.

Yore takes its rise at a place called the Lady's Pillar, in the mountain range which divides Yorkshire on the west from Westmoreland. Camden thus incidentally speaks of the head of the Yore: "On the side of the country next to Lancashire, is such a dreary waste and horrid silent wilderness among the mountains, that certain little rivulets that creep here are called by the neighbourhood 'Hell-becks,' q. d., rivers or streams of hell, and *especially that at the head of the Ure*, which runs under a bridge of a single rock, in so deep a channel as to strike beholders with horror. In this part the goats, deer, and stags of extraordinary size, with branching horns, find a secure retreat." The Yore,

"rolling far below—

Here swift as time, there still and slow ;

O'ershadowed here with arching bowers,

There sweetly fringed with summer flowers."

Proceeding hence, it receives in its course the many torrents collected from the sides of Shunor Fell, Widdale Fell, and Dodd Fell, and thus becomes a considerable volume before it reaches Hawes. Still gathering in its onward course down the picturesque and romantic Vale of Wensleydale, at Hardraw Scaur, it is augmented by a mountain stream, the whole body of which takes a sudden leap of ninety-nine feet over the rocks, forming a massive column of water projected from the edge of a rock, so as to detach itself completely from the strata beneath, and to plunge without dispersion or interruption into a black and boiling cauldron below, and in the huge cavern thus formed behind the cascade (which is easy of access), hawks and jackdaws build their nests. Rushing still onward, after receiving the overflow of the lake Simmerwater, the whole body of the river takes a precipitate leap over two ledges of rock, one above and the other below

the bridge at Aysgarth Force;* thence passing Wensley, Middleham, and Jervaux Abbey, it assumes a more tranquil aspect, and passes Clifton Castle and Masham, where it becomes a magnificent stream, and the scenery remarkably picturesque and beautiful. On its reaching that romantic spot Hackfall, it has again assumed its impetuous career, and dashing from rock to rock passes on past Tanfield, Ripon, and Boroughbridge, to Ouseburn, where, as has been before described, it drops its name, and takes that of the insignificant Ouse.

John Leland, the famous antiquary, who visited this place in the reign of Henry VIII., in his "Itinerary," which was begun by him about A.D. 1538, thus speaks of the Ure:—"Ure cummith thrughe Wencedale adjoininge to Bishopsdale. The hed of Ure in a mosse about a myle above Coteren-hill is about 14 miles above Middleham, much westwarde. All the top of Coterene hill and somewhat farther is in Richmondshire, and at the utter parte of the hill or thereabout is a beck called Hell-gille, because it runnithe in such a deadley place. This gill commithe to Ure and is divider of Richmond and Westmerlandshire. There is no very notable Bridge on Ure above Wincelaw Bridge, a mile above Midleham and more. Bainbridge is above

* Mr. W. G. Barker, in his 'Three days of Wensleydale,' thus speaks of Aysgarth Force: "The Force may be strictly termed magnificent. The whole body of the river rushes rapidly over an abrupt descent, partially broken into three steps, and falling with stunning roar into a deep cauldron, over which, rainbowed spray, like April shower clouds, continually hangs. It flashes onwards, foaming and thundering along the irregular sheet of limestone, occasionally subsiding into calm, glassy pools, but for the most part boiling and hissing tumultuously around the broken rocks that seem vainly endeavouring to arrest its speed. On both sides the river, are grim, impending cliffs, that threaten with destruction any adventurous explorer of the water's margin. Trees and brushwood cover their summits, and above lie green fields, invisible from below. Wild flowers spring from the chinks, and ivy and blossoming creepers festoon both branch and crag." Taking Aysgarth Force, with its picturesque banks, altogether, it is one of the most beautiful waterfalls in the county.



AYSGARTH FORCE.

Wencelaw Bridge, Aiskar Bridge * above it, where Ure Ryver faullethe very depe betwixt 2 scarry Rokkes..... There be a greate number of Hopes or small brooks that cum into eche syde of Ure out of the Rokky mountayne or evar it cum to Midleham. The Bridge over Ure by Midleham is but of Tymbar. About a myle benethe Gervalex Abbey is a great old Bridge of stone on Ure, caullyd Kilgram Bridge. Then about 4 miles to Maseham Bridge of Tymbar a little benethe Masseham and VI miles lower north Bridge at the hether end of Ripon, it is of VII arches of stone. And a qwarter of a myle or lesse lower Hawike Bridge of 3 arches. Skelle commithe in betwixt thes 2 Bridges. From Midleham to Wenslaw about a mile up ther is a great Bridge of stone over it [Ure] made many yere sins by a good person at Wincelaw callid Alwine. And or ever I cam to West Tanfield I passed by Ferry for lak of Bridge. The Tounlet of West Tanfielde standith on a cliving ground hard by Ure, a Ryver of colour and the morish nature of the soil of Wencedale from whens it cummith. The fair Bridge of 3 or 4 arches that is on Ure at Wencelaw a mile or more above Midleham was made 200 year ago and more by one caullyd Alwine Parson of Wencelaw."

The next stream of importance is the Bourne or Burn, which Leland says, "risethe at a place by West in the West hills caullid moreheads and then goithe into Ure a little benethe Massenham Bridge and Town on Ure. Agayne the mouthe of this on the othar syde of Yore Ryver lyethe Aldeburg Village. At the other ende of Masseham I passed over a fair Ryver called Bourne. It goith into Ure a little byneth the Bridge."

Short as this description of Leland's is of the Bourne, it is more curious than exact. It takes its rise on the Masham moors, and proceeding thence past Colsterdalehouse, Gollinglith foot, Brearybank-wood, Leighton-

* Aysgarth.

bridge, Healey Cotton-mill, Shaw's Bridge, Swinton-mill, Swinton-bridge, through Bourne holme, to low Bourne bridge, and then empties itself into the river Ure, taking in in its winding course the several becks or streams of Black Gutter beck, Spruce-gill beck, Gin-pit beck, Sleagill beck, House-gill beck, Low-gill beck, Brown beck, Birk-gill beck, How-gill beck, Arnagill beck, Agill beck, Grimesgill beck, Pott beck, Sole beck, Den beck, and Swinney beck, all of which take their rise on the several moors of Colsterdale moor, Ilton moor, and Ellingstring moor, all within Mashamshire.

These several rivers and becks are several miles in extent, and, abounding in every description of fresh water fish—especially the trout, the smelt, and the grayling—afford abundance of sport to the peaceful disciples of Izaak Walton,* who invariably receive a ready and hospitable welcome from the Lord and Lady of Mashamshire.

EXTENT AND POPULATION.

The boundaries of Mashamshire, although apparently sufficiently defined in the ancient grants, have several times been the subject of dispute, and consequently of litigation. About the year 1551, it will be hereafter seen, a dispute arose between Sir Christopher Danby, the then Lord of Mashamshire, and the Earl of Lennox, as Lord of East Wilton, as to the boundaries of their respective manors, and was the subject of litigation before "the Council of the North."

* To such of the "gentle art" as are unacquainted with the description of flies to be used for fishing in these streams, I may mention that Jackson's 'Practical Fly-fisher,' written by an experienced angler in these rivers, will be found exceedingly useful to them in the selection (or making if need be) of the flies they will require. There is also a valuable work, published by A. Johnson and Co., Ripon, entitled 'British Angling Flies,' by Michael Theakston, of Ripon, which is well worthy of perusal by the followers of Izaak Walton.

In the reign of Queen Elizabeth, another dispute arose between the same Sir Christopher Danby, as Lord of Mashamshire, and Edward Earl of Derby, the then Lord of Kirkby Malzeard, as to the boundary line between those two parishes. The matter in dispute was principally as to the right to a certain portion of Nutwith, which being valuable for deer-stalking, on account of the undulating nature of the ground, was claimed by both parties. The matter was ended by an award (dated the 5th October, 12th Elizabeth, A.D. 1570) made therein by Sir Richard Shirborne, of Stoneyhurst, knight; William Tankard, of Boroughbridge; Robert Shirborne, of Catterall; and William Wycliffe, of Wycliffe, Esquires; (the arbitrators to whom the dispute was referred) which defined and set out the boundaries as they are now known.

In or a short time before the year 1607, another dispute arose between Christopher Danby, Esq., the then Lord of Mashamshire, and Edward Lord Bruce, the then Lord of East Witton, as to the boundaries of those two parishes. This dispute also appears to have been about the deer on Witton Fell, Sowden-beck Pastures, and in Colsterdale. Lord Bruce having filed a Bill in Chancery against Christopher Danby, Esq., the matter was referred to the arbitration of Sir Thomas Fairfax, knight, and Richard Hutton, and John Jackson, Esquires. These gentlemen by their award (which was confirmed in Chancery on the 28th January, 1608) defined and settled the boundaries, and thus ended the dispute for the time being.

About 170 years afterwards, namely in the year 1778, another dispute arose between William Danby, Esq., the father of the last William Danby, Esq., and Thomas Bruce, Earl of Aylesbury, as to the boundaries of Mr. Danby's lands in Colsterdale. The parties entered into a bond, dated the 28th February, 1778, whereby they agreed to refer the matters in dispute to the arbitration of Peter Johnson, Esq., of York. That gentleman, by

his award dated the 9th November, 1779, set out and defined the boundaries of the Parish at that point as they are now known.

The limits of the parish having been thus defined, the following statement will shew its extent in acres—

				ACRES.
Township of Masham	..	..	..	8657
„ Swinton-with-Warthermarsk	..	..	..	1614
„ Ilton-cum-Pott	..	..	..	2220
„ Fearby..	..	..	..	853
„ Healey-with-Sutton	..	..	..	4827
„ Ellingtons, High and Low	..	..	..	1710
„ Ellingstring	..	..	..	402
„ Burton-upon-Yore	..	..	..	2242
Total extent of Masham Parish				22,525

Of these 22,525 acres, about 7000 are open moorland.

The rateable value of the parish according to Parliamentary returns is as under—

				RATEABLE VALUE.	£
Township of Masham	3595
„ Swinton-with-Warthermarsk	1397
„ Ilton-cum-Pott	1146
„ Fearby	1029
„ Healey-with-Sutton	2089
„ Ellington, High and Low..	1734
„ Ellingstring	438
„ Burton-upon-Yore	1604
					£13,032

The following (which is copied from the Minute Book belonging to the Four-and-twenty of the parish of Masham) will shew the different proportions which were formerly paid by the several townships in the parish, on account of the church-rates.

“The ancient Rents of every severall Towne within the Parish of Masham by antient Records—

Masham	..	..	..	..	Fifty Pounds
Burton	..	..	..	..	Fifty Pounds

Swinton cu' Wardermarske..	..	Fower and Twenty Pounds
Ilton cu' Pott ..	..	Thirty Pounds
Healey cu' Sutton ..	..	Thirty Pounds
Feareby ..	..	Fifteen Pounds
Ellingtons ..	..	Twenty-six Pounds
Ellingstring ..	..	Fifteen Pounds"

This ancient mode of assessment of the parish was discontinued in the year 1828, when a new valuation was made (and which is now acted upon) as will appear from the following entry in the Minute Book of the Four-and-twenty of the parish of Masham—

“1828. } At a meeting of the Four-and-twenty, convened by due notice
 VESTRY } in writing, and held on the 23rd day of July last—It was
 AUGT. 6. } unanimously resolved and agreed, that a new Valuation of the
 several Townships within the Parish should be made by Mr. Trumper, for
 the more due Assessment and Equalization of the Church-rates—And at a
 meeting this day holden pursuant to regular notice, it was further resolved,
 agreed, and declared, that for the future each Township of the Parish shall
 be rated and assessed at and in the respective sums following, viz.—

	£
Masham	1880
Swinton	990
Ilton-with-Pott	910
Fearby	710
Healey-with-Sutton	1606
Ellingtons	1080
Ellingstring	355
Burton	1200"

Such a mode of laying a church-rate as this is very unusual, and it may be a question whether such a custom can be supported, especially as its commencement is so recent as 1828. To be a good custom, I apprehend that it should have been from time immemorial, which this is not.

The tithes of the parish have been commuted under the Tithe Commutation Act, and the amounts payable in each township will be shewn by the following tabular statement—

TITHE COMMUTATION RENT CHARGES.

TOWNSHIPS.	Rectorial Tithes.			Vicarial Tithes.		
	£	s.	d.	£	s.	d.
Masham	163	0	0	* 35	0	0
Swinton-with-Warthermarsk	150	0	0	36	0	0
Ilton-cum-Pott	92	0	0	30	0	0
Fearby	96	0	0	17	0	0
Healey-with-Sutton	140	0	0	70	0	0
Ellingtons, High and Low	183	0	0	35	10	0
Ellingstring	62	0	0	10	10	0
Burton-upon-Yore	55	0	0	2	0	0
TOTAL £	941	0	0	236	0	0

The Rectorial Tithes are payable to the Master and Fellows of Trinity College, Cambridge, who are the patrons of the living.

POPULATION.

Previous to the year 1801 no census was ever taken in this country, but since that time they have been taken regularly every ten years, the particulars of which, so far as they relate to the parish of Masham, are here given. From these Tables it will be readily seen how far the parish has increased, or decreased, in population, during the last sixty years.

Before 1801, when the first census was taken in England, the only means of ascertaining the population of a place, was on a calculation grounded on the number of baptisms and burials which had been registered in the particular place within a given period. The following table will supply data for such a calculation.

* Since the Commutation Land has been transferred from the Swinton Estate, in reduction of the Vicarial Tithes, a Rent-charge of 9*l.* 12*s.* is now only payable to the Vicar from the township of Masham.

A TABLE shewing the number of BAPTISMS and BURIALS which took place within the parish of Masham during a period of 100 years, viz., from A.D. 1700 to A.D. 1800.

In the Year	Baptisms.	Males.	Females.	In the Year	Baptisms.	Males.	Females.
1700	38	14	24	1760	44	22	22
1710	36	20	16	1770	44	26	18
1720	23	12	11	1780	54	34	20
1730	27	11	16	1790	58	33	25
1740	32	13	19	1800	54	26	28
1750	51	22	29				

Baptised in Masham Church within the period of 100 years, ending in 1800 inclusive :—Males, 2311—Females, 2178—Total, 4489.

Buried at Masham during the same period :—Males, 1560—Females, 1691—Total, 3251.

CENSUS RETURNS OF THE SEVERAL TOWNSHIPS COMPRISED IN MASHAM PARISH.

In the year 1801 the Parish of Masham contained 2520 Inhabitants.

	1811	1821	1831	1841	1851	1861
Masham Township ..	1014	1171	1276	1318	1139	1079
Swinton-with-Warthermarsk	182	177	207	214	205	202
Ilton-cum-Pott	209	266	233	237	245	200
Fearby	216	214	249	237	251	242
Healey-with-Sutton ..	354	413	400	442	378	318
Ellingtons, High and Low ..	123	152	148	130	144	114
Ellingstring	139	204	228	196	201	164
Burton-upon-Yore.. ..	164	170	254	200	132	120
Total in the whole Parish..	2401	2767	2995	2974	2696	2439



LOCAL JURISDICTIONS, ETC.

The market town of Masham is the head of an ancient Saxon parish of that name, which, until the year 1856, comprised the several townships or constablewicks of Masham, Ellingtons (High and Low), Ellingstring, Fearby, Healey-with-Sutton, Ilton-cum-Pott, Swinton-with-Warthermarsk, and Burton-upon-Ure. Masham parish was even more extensive than this previous to the building of Jervaux Abbey, for as it will be hereafter seen, the then Lord of Masham and Mashamshire granted a considerable portion of his land here for the purposes of the abbey, which, thereupon, ceased to belong to Masham parish, on its being then placed under the spiritual charge of the monks of Jervaux.

Masham parish—as to *ecclesiastical matters*—was in the year 1856 still more decreased in extent by the then formation of the new parish of Healey, as will be

shewn presently. In the year 1848, a new church was erected at Healey, by Admiral Octavius Vernon Harcourt, and Anne Holwell Danby Vernon Harcourt, his wife—the then and now Lord and Lady of the manor of Masham and Mashamshire (who also endowed it), and which on its consecration was dedicated to St. Paul the Apostle.

By an order made by Her Majesty in Council, on the 15th of January, 1849, after reciting that Her Majesty's Commissioners for building new churches, had, in pursuance of the 16th section of an Act passed in the 59th year of the reign of George the Third, intituled "An Act to amend and render more effectual an Act passed in the last Session of Parliament, for building and promoting the building of additional churches in populous parishes," or under or by virtue of any other power or authority vested in them by the Church-building Acts, duly prepared and laid before Her Majesty in Council, a representation, bearing date the 5th of January, 1849, to the effect following—namely, that they (the said Commissioners) having taken into consideration all the circumstances of the united parishes of Kirkby Malzeard and Masham (the former of which parishes is situate within the West Riding, and the latter within the North Riding of the county of York, and both being within the diocese of Ripon), it appeared to them to be expedient that a particular district should be assigned to the consecrated church of St. Paul, situate at Healey, in the said parish of Masham, under and by virtue of the power or authority for such purpose contained in the 16th section of an Act of Parliament, passed in the 59th year of the reign of His Majesty King George the Third, intituled "An Act to amend and render more effectual an Act passed in the last Session of Parliament, for building and promoting the building of additional churches in populous parishes," or by virtue of any other power or authority in that behalf, vested in them (the said Commissioners) under the Church-building Acts; and

that such proposed district should comprise all that portion of the said parish of Masham which lies to the west of the eastern boundary line thereafter described, which comprises also the entire township of Ellingstring, the township of Healey-cum-Sutton (excepting all that portion thereof called or known by the name of Sutton), the entire township of Ilton-cum-Pott, the greater part of the township of Fearby, with detached portions of the townships of Masham, Burton, Ellington, and Swinton, as well as the unenclosed moorlands belonging to the parish of Masham, and not divided between the several townships in such parish, and that such proposed district should be called "The Chapelry District of Healey," with boundaries as thereafter mentioned.

"The Chapelry District of Healey" is bounded on the south and south-west by the said parish of Kirkby Malzeard, on the north-west by the parish of Coverham, on the north by the parish of East Witton, and on the east by the remaining part of the said parish of Masham, from which the proposed Chapelry District is separated by the western and south-western boundary line of the township of Ellington, as far as to the point where the road from Ellingstring to Swinton crosses Swinny-beck; then by the said road leading from Ellingstring to Swinton, till it meets the Burn river; thence by the river Burn, running in a westerly direction up to the mouth of Quarry-gill beck; thence by the Quarry-gill beck, till it arrives at the boundary of the township of Ilton; then by the boundary line of the township of Swinton, as far as to the road leading from Masham to Ilton; and then by the boundary line of the township of Burton, till it meets the boundary of the parish of Kirkby Malzeard on the south, as such proposed Chapelry District is more particularly delineated on the map or plan thereunto annexed, and is thereon coloured pink. Also that it appeared to them (the said Commissioners) to be expedient that banns of marriage should be published, and that marriages, baptisms, churchings, and burials should

be solemnized or performed in the said church of St. Paul, and that the fees to arise therefrom should be paid and belong to the incumbent of such church for the time being. That the consent of the Right Reverend Charles Thomas, Lord Bishop of Ripon (as Bishop of the Diocese) had been obtained thereto, as required by the act and section thereinbefore mentioned, in testimony whereof the said Charles Thomas Lord Bishop of Ripon, had signed and sealed that representation. The said Commissioners, therefore, humbly prayed that her Majesty would be graciously pleased to take the premises into her royal consideration and to make such order in respect thereto, as to her Majesty in her royal wisdom should seem meet. Her Majesty having taken the said representation, together with the map or plan thereunto annexed, into consideration, was pleased, by and with the advice of her Privy Council, to approve thereof, and to order, as it is thereby ordered, that the proposed assignment be accordingly made, and the recommendations of the said Commissioners in respect of the publication of banns and the solemnization of marriages, baptisms, churchings, and burials, and the fees arising therefrom, be carried into effect, agreeably to the provisions of the said act, and her Majesty, by and with the like advice, was pleased thereby to direct that that Order should be forthwith registered by the Registrar of the Diocese.*

Thus far the district thus assigned to Saint Paul's Church, Healey, only constituted it into a "Chapelry District," and not a parish; but by the 14th section of a subsequent act of Parliament, viz., the 19th and 20th Vict., cap. 104 (commonly called Lord Blandford's Act, and which received the royal assent on the 29th July, 1856), it is enacted that "Whensoever or as soon as banns of matrimony and the solemnization of marriages, churchings, and baptisms, according to the laws and

* See 'London Gazette' of the 2nd of Feb., 1849.

canons in force in this realm, are authorised to be published and performed in any consecrated church or chapel, to which a district shall belong, such district not being at the time of the passing of this act a separate and distinct parish for ecclesiastical purposes, and the incumbent of which is, by such authority, entitled for his own benefit to the entire fees arising from the performances of such offices, without any reservation thereout, such district or place shall become and be a separate and distinct parish, for ecclesiastical purposes, such as is contemplated in the 15th section of the first recited act [referring to the the 6 and 7 Vict., cap. 37], and the church or chapel of such district shall be the church of such parish." And by the 15th section of the same act, it is enacted that "The Incumbent of every new parish, created . . . pursuant to the provisions . . . of this act, shall, saving the rights of the Bishop of the Diocese, have sole and exclusive cure of souls, and the exclusive right of performing all ecclesiastical offices within the limits of the same, for the resident inhabitants therein, who shall for all ecclesiastical purposes be parishioners thereof, *and of no other parish*, and such new parish shall, for the like purposes, have and possess all and the same rights and privileges, and be affected with such and the same liabilities, as are incident or belong to a distinct and separate parish, *and to no other liabilities*."

By the conjoint operation of the Order in Council, and of the Acts of Parliament before alluded to, the district thus originally assigned to Saint Paul's church, Healey, as a Chapelry District, has become, and is now, a separate and distinct parish for ecclesiastical purposes, and has ceased to form a part of the ancient parish of Masham, so far, at least, as regards ecclesiastical purposes. As a necessary consequence of this, the vicar, churchwardens, and the four-and-twenty of the parish of Masham, have on the one hand, now, no power or authority whatever to intermeddle with the ecclesiastical

concerns of the residents in the new parish, either by interfering with the minister of Healey parish in his functions, or by rating the inhabitants of Healey parish to the church-rate, or otherwise; and on the other hand, the residents within the new parish of Healey have now no power or authority whatever to intermeddle with the ecclesiastical concerns of the old parish of Masham, or to be or act as churchwardens or members of the Four-and-twenty of the parish of Masham, as is now the case.*

* Since writing the above, I have been favoured with a copy of an opinion which has been given by Dr. Travers Twiss, upon a case submitted to him by the Four-and-twenty of the parish of Masham, to advise them as to their right to enforce the payment of a church-rate upon the inhabitants of Healey. That learned civilian is of opinion that the District Chapelry of Healey has been constituted—for ecclesiastical purposes—a new parish, and as such can make a rate for the repair of the new church of Healey; but that such rate must be levied, according to the general ecclesiastical law, upon the inhabitants of the new parish exclusively, and not in the manner in which church-rates are levied for the parish of Masham. So far his opinion coincides with the view I have taken of the subject. He, however, goes on to say that he thinks the new parish of Healey is not relieved from the payment of rates assessed by the Twenty-four of Masham, according to immemorial custom (basing such opinion on the case of *Batt v. Watkinson*, a report of which will be found in the Appendix C. hereto). He says it would appear from the judgment in that case, that the rate assessed by the Four-and-twenty, according to the ancient immemorial custom of the parish of Masham, is not to be regarded as an ecclesiastical rate, but a common law rate, and that the rate is to be levied by the churchwardens under common law process, upon warrant from the Four-and-twenty, to whom alone they are to account; and that the obligation to pay a rate so assessed by the Four-and-twenty is a common law obligation of which the ecclesiastical courts cannot take cognizance. Whereas he says the 15th section of the new Parish Act (1856), in declaring the parishioners of the new parish to be parishioners of no other parish, and to be subject to no other liabilities than such as are incident to the inhabitants of a distinct and separate parish, qualifies the exemption by the words “for ecclesiastical purposes”—that is, as he interprets them, for all purposes known to the ecclesiastical law, and of which the ecclesiastical courts may take cognizance. The fallacy of Dr. Twiss’ argument is too evident to need pointing out. What he in effect says, is, that a *church-rate* levied by the Four-and-twenty is not for *ecclesiastical purposes*, simply because it cannot be enforced by the ecclesiastical courts, but by the warrant of the Four-and-twenty, as if the *mode of recovery* of a

Both the parishes of Masham and Healey are, for ecclesiastical purposes, situate within the Deanery of Catterick, the Archdeaconry of Richmond, the Diocese of Ripon, and the Province of York. The parishes of Masham and Kirkby Malzeard, it will, however, be hereafter seen, were, at an early period, exempted by the Archbishop of York and the Dean and Chapter of York, from Archdeaconal jurisdiction; and on the ground of such exemption, and as a consequence of it, the Peculiar Court of Masham was established, which exercised jurisdiction over all ecclesiastical offences committed within its jurisdiction, the proof of wills of persons possessed of *bona notabilia* within the local extent of its jurisdiction, the administration of the effects of intestates under like circumstances, and the granting of marriage licenses; but since the establishment of the Courts of Probate and Divorce, the greatest portion of its jurisdiction has been taken away. It still, however, continues to grant marriage licenses, although there are serious doubts whether it has the power even to do this. It is a very singular circumstance — yet not less singular than true — that during the time of the late Rev. Thomas Riddell, whilst he as the vicar of Masham—who is the commissary or head of the Peculiar Court of Masham—granted marriage licenses, as the Surrogate and Deputy of the Bishop of the Diocese, and in the name of the Bishop, his curate, as his (the vicar's) Surrogate or Deputy, granted similar marriage licenses in the name of the vicar, as Commissary of the Peculiar Court of Masham. In matters of civil action, the ancient parish of Masham is situate within the Honour or Liberty of Richmondshire, and as the chief bailiff of that Liberty has the return of all

rate alters the nature and purpose of it. I say a church-rate is for an ecclesiastical purpose; however recoverable, and that the mode of its recovery makes no difference in its nature and purpose. Being then, as I contend it is, a liability for ecclesiastical purposes, the inhabitants of the new parish of Healey are exempt from it. Holding this opinion, I still adhere to the view I have taken of the subject, as above expressed.

writs issuing out of the Queen's Courts, the sheriff of Yorkshire cannot enter this Liberty to execute any such writs, but on receiving such, directs his mandate thereon to the chief bailiff of the Liberty, to execute the same within his Bailiwick, who executes the same accordingly; and all persons taken in execution by him, under writs of *Capias ad Satisfaciendum*, are lodged and imprisoned by him in his gaol at Richmond. In modern practice, however, it is usual to obviate this, by inserting in the writs which are directed to the Sheriff of Yorkshire, what is called the "non omittas clause," viz., "omit not by reason of any liberty in your bailiwick, but" etc., which authorizes the sheriff to enter all Liberties, and to execute the Queen's writs therein. Formerly, Quarter Sessions were held at Richmond for the Liberty of Richmondshire, and when such was the case, the Sessions business for this district was transacted there, and not at the Quarter Sessions for the North Riding, as at present. But these Liberty Sessions were abolished many years ago.

As regards magisterial business, business relating to the land tax, the assessed taxes, and the property and income taxes, the ancient parish of Masham is situate within the division of Hang East, of which Bedale is the head.

In the matter of elections of knights of the Shire for the North-Riding of Yorkshire, the whole parish is situate within the Leyburn polling district, and the lists of voters for the several townships within the parish are annually revised by the revising barrister at Leyburn, where, also, the polling of the voters takes place at the elections.

As to County Courts, part of the parish, viz., the townships of Masham, Swinton-with-Warthermarsk, and Ilton-cum-Pott, is within the jurisdiction of the County Court at Ripon; and the remaining part of the parish, viz., the townships of Burton-upon-Yore, Fearby, Healey-with-Sutton, Ellingtons (High and Low), and Elling-

string, is within the jurisdiction of the Leyburn County Court.

As to the administration of the Poor-laws, the townships of Masham, Swinton-with-Warthermarsk, and Iltoncum-Pott, are within the Bedale Poor-law Union; and the townships of Burton-upon-Ure, Fearby, Healey-with-Sutton, Ellingtons (High and Low), and Ellingstring, are within the Leyburn Poor-law Union.

A small portion of the town of Masham is situate within the Liberty of Saint Peter, the tenants of which do suit and service at the Copyhold Court, held for "the manor of the late Prebend of Masham" — the Master Fellows and Scholars of Trinity College, Cambridge, being the Lords of such manor in right of the dissolved Prebend; and part of the township of Burton-upon-Ure as well as some portion of the district near Pott Grange having formerly formed part of the possessions of the monks of Fountains, is within the manor of Fountains Earth. The remaining portion of the ancient parish of Masham is within the manor of Masham and Mashamshire — the tenants of which answer, and do suit and service at the Manorial Courts held by the Lord of that manor.

HISTORY OF MASHAMSHIRE.

From the many early remains which have from time to time been brought to light within the parish of Masham and its immediate neighbourhood, and from the names of many places still to be found in it, there is every reason to believe that Masham is a place of great antiquity, and that it has been one of much importance as far back as the time of the Early Britons, when the religion of this country was that system of paganism called Druidism.*

* The chief doctrine which the Druids inculcated was the transmigration of souls, they asserting that when a man died his spirit did not perish but

It is not intended in this place to describe the several early remains above alluded to, but to defer the description of them to a subsequent portion of this work, where the subject will be entered upon at some length.

In the meantime I would wish to draw the reader's attention to several places in Mashamshire, the names and situations of which are even at this distant day very suggestive of a Druidical origin. It is a matter of history that the inhabitants of this country, and of this district more especially, adored the sun under the name of "Bell" or "Baal, which they worshipped in high places and deep groves, amidst the deep gloom of the dense oak forests, intersected by labyrinths of devious and inextricable paths and windings, or within huge circles of upright stones—making

"Their altars the high places, and the peaks
Of earth o'ergazing mountains—"

erecting their altar-stones on the tops of mountains, and sacrificing in the valleys. In this parish there are places which fully answer to this description, as well in situation and appearance, as in the names which they still bear. I refer more especially to Healey-Baals, Beldin-Gill, and Baal-Hill, which latter place is situate either upon or near to the range of hills known by the name of Healey-Baals. The very name of Baal-Hill, without reference to its appearance or locality, indicates that the place is a hill dedicated to the worship of the heathen

passed immediately into another body. They were much given to religious observances, and when attacked by any serious disease or were involved in the dangers of warfare, they immolated human victims, and employed the Druids to perform these sacrifices—their opinion being that the gods were not to be propitiated, unless for the life of a man, the life of a man were offered up. They also offered up similar sacrifices on behalf of the state—sometimes images of wicker-work of immense size were constructed, which being filled with living men, were then set fire to, and the men perished in the flames. They regarded the destruction in this manner, of persons taken in the commission of theft or robbery, or any other delinquency, as most agreeable to the gods; but when the supply of such criminals was insufficient, they did not hesitate to make victims of the innocent.

god Baal; and the name Healey-Baals, according to the interpretation which I put upon these words, is, if possible, still more conclusive of the matter. I take it that the name of Healey is derived from *Heil*, holy or sacred, and *ley*, land consisting of fallow-ground, pastures, or meadows. If, therefore, I am right in my interpretation of the name of Healey, then Healey-Baals means simply land sacred to Baal. This supposition is strengthened by the circumstance of circles of upright stones having recently existed near to the place, and from ancient relics which have been found within the parish, and at but a short distance from Healey and Healey-Baals, which are supposed to have been used in the mystical rites of the Druids or priests of Britain, for at least antiquaries can assign no other use to them. In the adjoining dale of Nidderdale, too, there are many places bearing the names of Baal-Hill, Baal-Bank, Baal-Ings, and other such like names. There are traditions, too, which have been handed down to us, to the effect that the heathen custom of making feasts and Baal-fires (which although unknown to the persons making them, were in truth so made in honour of Baal) have been continued until very recent times in this district—and especially in Nidderdale—the remembrance of which is transmitted to us in the annual feast which is still held at Healey.*

Besides this internal evidence of the existence of Druidism within the parish and district, it is well known that one of the tribes of the Brigantian Celts had estab-

* The Druids had four great religious festivals. The first was on the 10th of March, or the sixth day of the moon, which was the nearest to that, being their New Year's day; the second on the 1st of May; the third on Midsummer eve; and the fourth on the last day of October. On all these occasions their chief celebration was by fire. On the eve of the festival of the 1st of May, all the domestic fires throughout the country were extinguished, and lighted again the next day from the sacred fire kept always burning in the temple. In Ireland, and also in the North of Scotland, the first of May, and in some places the 21st of June, is still called Beltein or Beltane, that is, the day of Bel Fire, on which days fires are kindled, and imitations of the old superstitious ceremonies of the Beltane fires are performed.

lished themselves in this neighbourhood, and had selected it as their station for the dispensation of justice, the celebration of religious rites, and the seat of government. Mr. Walbran, in his 'Guide to Ripon,' describes two remarkable earthworks, which are situate on the high land near *Blois Hall*, like Abury and Stonehenge, which he says they rival in antiquity; their outline is that of a circle, of which the diameter is not less than 680 feet. They have evidently been enclosed by a lofty mound and corresponding trench, the latter being inside, with a platform or space of about thirty feet wide intervening. Besides these there are three similar temples at Thornbrough Moor, near Tanfield, one of which still remains perfect. He also says the antiquity and purpose of these places, as temples for the performance of Druidical rites, is satisfactorily ascertained by the existence of at least eight large Celtic barrows in their immediate vicinity, two of which, he says, he had opened in 1846. He also adds that it is not unreasonable to believe that a spring which rises in a piece of enclosed ground, called Hallikeld* field, about midway between the works before described and the village of Melmerby, was the *fons sacer*, necessary for the due performance of Druidical rites. Celts, Druidbeads, and fragments of coarse pottery ware have also been found in the neighbourhood.

From these circumstances, there is too much reason to fear that our native hills have been the frequent witnesses to many a human sacrifice, and that our peaceful valley has often resounded to the shrieks of the dying victims of a gross and sanguinary superstition.

Nor is it less certain that Mashamshire was not unknown to the Roman cohorts, with their glittering arms and ensigns—

“Those dauntless chiefs
Who clad in armour bright and lofty crests,
Dealt death with many a ghastly wound,”

* Hallikeld, from the Danish *Helligkilde*, means Holy-well.

since many such arms have from time to time been found within the parish. Besides which it is surrounded on all sides by Roman military stations—is intersected by ancient Roman roads—and Roman remains have been extensively discovered not only within it but in the surrounding neighbourhoods. If we turn southward, we discover at Aldbrough, near Boroughbridge, the great Isurium of the Romans—mentioned by Ptolemy (who wrote A.D. 120) as existing at the time when the Antonine Itinerary was compiled—and which was at one time in all probability the chief city in Britain. If we turn to the north, at Catterick-bridge, we see the Roman military station, Cataractonium; and further west, in Wensleydale, where Bainbridge now stands, we see the Roman military station or town of Bracchium, traces of which are yet distinctly visible, and where, at various periods, altars, stones bearing inscriptions, and parts of statues have been dug up. From Isurium to Cataractonium, we trace the great Roman military road, called Watling Street, and now known by the modern name of Leeming-lane. From Cataractonium, we trace another Roman road in the direction of Kilgram-bridge, thence past Ellington, in Mashamshire, close by the Mar or Mere-field, and westward of the town of Masham, and to the eastward of a small oval camp in Swinton-park, and of the large square camp at Nutwith; thence to Roman-ridge and How-hill, across the river Nidd to the westward of Ripley, joining Watling Street again about midway in its course from Isurium to Olicana (now called Ilkley), on the Wharf. At Nutwith, near Masham, we find that another Roman vicinal road branched out of the road just described, taking the direction of Aldbrough Hall, and thence past Well, where a Roman pavement and other Roman remains, evidently forming part of a Roman villa, were sometime since discovered, and are mentioned in Camden's *Britannia*, as also some others discovered so late as in the year 1859; and thence past the three circular entrenchments at the very ancient

village of Thornbrough, before described.* It should be here observed that these Roman military and other branch roads, which I have been thus tracing out, were not mere trackways, such as our early British roads were, or even such as are our present roads, but were roads of a more permanent description, carefully constructed of large paving stones, laid in concrete, so as to prevent the roots of trees and other things from growing through them (of which portions can yet be traced near Masham); and their route, too, was marked by tumuli of earth raised up so as to serve in the place of our modern guide-posts.

Having thus shewn Masham to be the centre of several Roman military stations, and that it is intersected in different directions by Roman roads, and to be in the immediate vicinity of an undoubted Roman villa at Well, I now proceed to shew that there is every reason to suppose that a Roman fort once stood at Aldbrough Hall, near Masham. The very name itself of Aldburgh denotes its antiquity as a fortification—*Ald* signifying old, and *burgh* a fortified place; but when it is remembered that this was its name so far back as the eleventh century, it must indeed be considered as a very ancient fortification. That Dr. Whitaker was evidently of opinion that a Roman station once existed at Aldbrough Hall, is apparent from this passage taken from his History of Richmondshire—"The distance between Isurium and Bracchium was such as to require an intermediate station. This Aldburgh is on or near the line of road. I think it probable that the Romans had a fort, however inconsiderable, at this place. The Iter is stated to me to have struck out from Leeming-lane to the north-west, so as to pass through the glebe land of Wath, where it has been ploughed up; it then traverses Thornbrough-moor, passes between Nosterfield and Tanfield, and

* The Roman roads above described have been traced out, and are shewn upon a map which has been published by the Royal Society of Antiquaries.

thence over Watlas-moor to Thornton-Steward. Somewhere about Ulshaw-bridge must have been the Roman Trajectus. Near the course of this road, some years ago, a Roman tessellated pavement, indicating a villa, was taken up at Well; and in a field north of Gatenby-gate by Leeming-lane, large foundations of buildings were taken up about sixteen years ago, together with a brick pavement, two or three pillars, and some stones, apparently bases whose mouldings seem to be wrought by Roman models."

Professor Phillips, in his work before quoted, says, "At Aldbrough* nearly opposite Nutwith Camp, an old road crossed the Ure, and there are marks fitting to its name, of ancient foundations."

These foundations are still very apparent, and near to them is a tumulus, the usual accompaniment of such a fortress. It is from this circumstance, no doubt, that all recent writers on the topography of the district, have fallen into the error of stating that William le Gros, Earl of Albermarle—who in 1138 was created Earl of York, as a reward for his gaining the battle of the Standard—had a castle here, when the fact is that William le Gros's castle was at Aldburgh in Holderness, and not at this Aldburgh.

With these remarks I must conclude my observations on the Roman period of the history of Mashamshire.

That Mashamshire not only existed, but was a flourishing place in the time of our Saxon forefathers, is amply proved by the Domesday Survey, which was made by the directions of William the Conqueror, soon after the Conquest, and was completed A.D. 1086. From the extract from the Domesday Book, set out in the

* Aldbrough Hall is now the seat and property of John Timothy D'Arcy Hutton, Esq., a magistrate for the North Riding of Yorkshire. (See *Pedigree post.*) It is an old mansion covered with ivy, and is situated about three miles from Masham. The staircase and several of the floors are of old black oak. Amongst the paintings is a fine portrait of the Hon. James D'Arcy, created Baron D'Arcy of Navan, Ireland, who died in 1731, aged eighty; also of Sir Roger Beckwith, a former owner of the estate.



ALDEBURGH HALL.

Appendix A. to this work, it will be seen that Masham, Swinton, Sutton, Ellington, Fearby, Ilton, and Burton, are all mentioned and minutely described, as being in existence at the time of our Saxon King, Edward the Confessor, and that they were very much depreciated in value at the time of the Survey. The circumstance that—according to Domesday Book—there was a church at Masham at that time, whilst it carries us back into the Anglo-Saxon period of our history, proves beyond doubt that Masham had become a place of some importance, and sufficiently populous to have a church of its own at that early day. The church, however, which we now see, is not the one which existed in the Saxon times. During the late restoration of the church, it was discovered that a great number of highly-wrought and moulded stones, some of which were decidedly of Saxon masonry, as well as others, which bore evident marks of fire, had been used up in the rebuilding of the present structure; besides which, great quantities of charcoal and partially burnt wood were brought to light whilst digging in the churchyard. From these discoveries, and what has been thus brought to light, I have no doubt but that the old Saxon church was one of the churches which sprung up in consequence of the preaching of St. Paulinus, and was no mean structure considering the period in which it was built, and that it was destroyed by fire in one of the many wars which unhappily desolated this country in those early times. Drawings of some of the Saxon masonry before alluded to will be found in these pages.

We find from the earliest records and documents in existence relating to the place, and dating from a period immediately after the Norman Conquest, that the district which is now known to us by the name of Mashamshire, has, as far back as can be traced, been called and distinguished by the name of Mashamshire, and further, that it has always been spoken of and described as being a forest. It will be seen, on referring to the copy of

the Grant of Earl Alan to Roger de Mowbray, set out in the Appendix A., that Mashamshire is there spoken of. The Forest of Masham is also mentioned in the following charter of Roger de Mowbray:

“Roger de Mowbray, to all his men, French and English, future and present, Greeting: Know ye that I have given, and by this charter confirmed to John son of Drin, Burton with all its appurtenances and Comon of Pasture in the *Forest of Massham* and in the Province of Massham, I grant to him to make a mill, and to fasten the stagnum or mill poole; I allso grant to him the pawnage of his hogs quit in the *Forest of Massham*, and building wood and fyre wood doing the service of the tenth p't of one knight's fee. I also grant unto him hare and wulf. These being Witnesses,” etc. (Harleian MS., vol. 793, British Museum.)

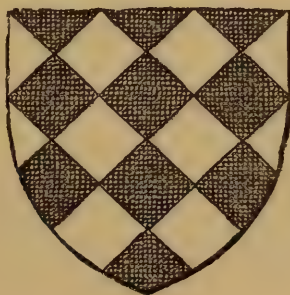
From the circumstance of this district being thus described as Mashamshire—although then comprising several different manors—and as the Forest of Masham, and from the fact that we cannot find amongst the Public Records since the Norman Conquest, any original Royal grant giving it that designation, or constituting it a forest, we are entitled to assume that it was so called by the name of Mashamshire, and was so constituted a Lordship paramount (as it now is) as well as a forest, before the Conquest, namely in the Saxon times; and further, as appears by the Domesday Survey, that the village of Aiskew, near Bedale, was then a soke belonging to it, and as such, the inhabitants of Aiskew would be required to do their suit and service at the Masham Courts.

Mr. Fosbroke, in his *Encyclopædia of Antiquities*, page 449, thus speaks of forests:—“The Northern nations threw the country adjacent to their chief residences into forests, on account of the superior safety and less danger in incursion and defence. Hence forests, which were not made for the mere purposes of hunting near our cities. They were aneiently exclusive of any

county, diocese, or parish, acknowledging the King only for their Lord, and had a peculiar law of their own. They abounded with wolves, boars, buffaloes, stags, roes, goats, hares, and *thieves*. In process of time they became neglected so that by Statute xvii., Car. 1, which enacts that no forests where the courts had not been held for sixty years, should thereafter be deemed forests, they were got rid of with very few exceptions." Citing Caes. B. Gall. lib. vi—Spelman v. Foresta—M. Parl. 988 st. al.

Since the Norman Conquest, however, rights of forest, properly so called, can only belong to the Crown, or at any rate can only be legally constituted by a Grant from the Crown; assuming then that Mashamshire is really and truly a forest, it is a somewhat singular circumstance that a private subject should thus be possessed of a forest—certain, however, it is, that the Lords of Mashamshire have from the earliest times, and down to the present, asserted these rights of forest. A deputation is still in existence, dated 8th Charles I., under the seal of Sir Thomas Danby, by which he deputed and appointed Francis Armitage, Esq. (his brother-in-law) to the office of Bow-bearer* of his chase of Mashamshire, to hold for the life of him the said Thomas Armitage, together with all fees and emoluments thereof, in as ample manner as the same had usually been held. Jacob, in his Law Dictionary, defines "Bow-bearer" to be "an under officer of the Forest, whose office is to

* Roger Croft, Esq., of Appleton, was Bow-bearer for the adjoining Forest of Wensleydale. The Crofts of Stillington are of the same family.



oversee, and true inquisition make, as well of sworn men as unsworn, in every bailiwick of the forest, and of all manner of trespasses done, either to vert or venison, and cause them to be presented without any concealment in the next Court of Attachment," etc. Citing *Crompt. Juris.*, fol. 201.

If we are to attach any importance to this Deputation of Bow-bearer, it would seem to imply that the Lords of Mashamshire held the forest under a Royal Grant, "*habendum cum omnibus incidentibus et pertinentiis*," which includes the courts and officers incidental to them, except the Justice in Eyre, for under no other state of things could the Lords of Mashamshire appoint forestal officers.

Besides this forestal officer, the Bow-bearer, it would seem, by a pretty well authenticated tradition in Masham, that up to the time of the inclosure of the moors and commons, which extended up to Masham town-end, there was another forestal officer, called a "Swineherd," appointed for the manor of Mashamshire, and a field is also pointed out as being the Swine-garth, which was used by that functionary in the way of his calling. That field is situate at Masham town-end, on the road to Swinton, and is now in the occupation of Mr. Edmund Barker, and is called to this day by the name of the Swine-garth. Tradition further has it, that every morning, on the Swineherd's blowing his horn, the good people of Masham opened their piggery doors, whereupon the grunting inmates immediately made their way very instinctively to the Swineherd at the Swine-garth, and when the swinish multitude had all assembled, he took them to feed for the day upon the commons and wastes, and brought them back again to their respective homes in the evening; when

"to their lowly dome,
The full-fed swine returned with evening home;
Compelled, reluctant, to their several sties,
With din obstreperous, and ungrateful cries"—

POPE'S ODYSSEY.

That swine did run out here in the woods, is evident from Roger de Mowbray's charter before cited, wherein he grants to the people of Burton-upon-Yore, the pannage of their hogs quit in the forest of Masham. According to King John's Charter of the Forest No. 7, "the Swineherd was an officer under the Forest laws, whose duty it was at the ringing of a bell at ten o'clock, to drive the swine upon the forest, and to collect and bring them back when the bell rang the hour of four."

Besides these instances of the exercise of forest-rights, the Lords of Mashamshire have up to the present time, regularly held courts, which are called forest courts, and to which forest juries are as regularly summoned. These courts are but forest courts in name only, and not in reality. They are summoned and conducted in precisely the same way as an ordinary Court Baron and Court Leet, and the Court Rolls are headed exactly the same as for a Court Baron and Court Leet, the only difference being that the Jury-panel is headed with "the names of the forest jury," instead of "the names of the jury." This, however, is but one instance of the many inconsistencies connected with the holding of the Manorial Courts here, and the measures taken for the preservation of the privileges and franchises belonging to the place.

A forest, however, in the hands of a subject is more properly and legally speaking, a *chase*, being usually subject to the common law, and not to the forestal law; for unless the jurisdiction be expressly indicated in the grant, such grant does not pass forestal rights (see Attorney General *v.* Marquis of Downshire, 5 Price's Reports 269). This may account in some measure for the manner in which the Manorial Courts have been and are still held here.

Assuming it then to be what I believe it to be, namely a chase; a chase is a franchise or liberty of keeping certain kinds of wild animals within a particular and known district. It is commonly less than a forest, and

not endowed with so many liberties, as officers, laws, courts. It has no laws peculiar to it, so that all offences in chases are punishable by the common law, and not by the forest laws. (See *Manwood* 49, 147.) When it belongs to a subject it (the same as a forest) must have been originally created by a grant from the Crown.

According to *Manwood*, beasts of the chase are—the buck, doe, fox, marten, and roe; and according to Lord Coke, in a common and legal sense, all beasts of the forest are beasts of the chase. Beasts of the forest are the hart, the hind, the boar, and the wolf.

Forests and forest laws, however, are happily now amongst the things of the past, as through them great oppressions were frequently inflicted by the ancient Lords upon their vassals. Any inquiry into them now, therefore, is serviceable only for elucidating the past history of the country, and of the manners and customs of its inhabitants, at a time when men lived by the chase, and the chase was the only or chief sport or amusement of our great barons. In that day, no doubt, such franchises were exceedingly valuable, and much prized, so much so that the great feudal Lords enforced their rights so very strictly, and so oppressively, as to call forth in the reign of King John, A.D. 1215, the famous enactment, “the *Carta de Foresta*”—a charter second only in importance to *Magna Charta* itself.

I now come to speak of another description of franchise, which has been granted by different kings to the Lords of Mashamshire. I allude to rights of Free Warren, which are the exclusive right of preserving and killing hares, rabbits, roes, partridges, pheasants, rails, quails, woodcocks, mallards, and herons (but not grouse) within the demesne lands and the limits of the manor. The first of these grants of Free Warren was made by King Henry III., A.D. 1250, to Sir John de Wauton, the then Lord of Mashamshire; another of these grants was made by King Edward III., A.D. 1328, to Jeoffrey le Scrope, the then Lord of Mashamshire; and another

of such grants was made by King Richard II., A.D. 1393, to Stephen le Scrope, the then Lord of Mashamshire.

The validity of the first-mentioned grant was called in question A.D. 1280, by Sir John de Wauton; he being then called upon to shew by what warrant or authority he claimed to have Warren at Masseham, Elington, Elingstring, Helagh, Fereby, and Sutton. To which he answered and proved, that they were hamlets, and members of Masseham, and that King Henry III. had granted him Free Warren in all his demesne lands in his manor of Masseham. See copy of the Judgment Roll in the Appendix B., No. 5.

In the year 1549, the validity of the last-mentioned grant of Richard II., was called in question, by Sir Christopher Danby, the then Lord of Mashamshire, being then called upon by the King's Attorney General to shew by what warrant or authority he claimed the Chase or Forest, with Fairs and Free Warren at Mashamshire. To which he answered and justified his right to Free Warren under the above-mentioned grant of Richard II., and said that he was heir to Sir Stephen le Scrop, the grantee therein mentioned, as being the son of Margery, who was great-granddaughter of the said Stephen the grantee—that Mashamshire had from time immemorial been called by the name of Mashamshire as well as by the name of Masham—and as to the Chace, he justified his right to it by prescription, setting out its bounds, etc.; which plea the Attorney General confessed to be true, and judgment was accordingly given thereon in favour of Sir Christopher Danby, thereby establishing his right to the franchises in question. See copy of the Judgment Roll in this case, which is set out at full length in the Appendix B., No. 6.

These grants of Free Warren, it should be remembered, only extend to the *demesne* lands, and not to the tenemental lands of the manor, which were held by the respective grantees at the dates of their respective grants,

and do not extend to the after-acquired lands, or to any lands which the Lords have since parted with. The owner of a Free Warren possesses many peculiar privileges within his manor; among others I may mention that he or his gamekeeper may shoot a dog infesting his Warren — privileges which ordinary Lords of manors cannot exercise.



Besides these several franchises, the Lords of Mashamshire have obtained for Masham no less than four different charters, authorizing a weekly market and several fairs to be held at Masham. The first was one granted to Sir John de Wauton, in the year 1250, granting him one market on Friday, at his manor of Massham, and one fair there lasting for three days—to wit, on the eve, day, and morrow of the Assumption of Saint Mary; the second was one granted to Geoffrey le Scrope in the year 1328, granting him one market at his manor of Massham on Wednesday, and one fair there of four days, to wit, on the eve and the day of St. Barnabas the Apostle, and for two days following; the third was one granted to Stephen le Scrope in the year 1393, granting him a weekly market at his manor of Massham on Wednesday, and two fairs yearly, to be held on the Feast of St. Barnabas the Apostle,* and on the eve and day of the Assumption of the Blessed Virgin; and the fourth was granted to Thomas Danby, Esquire, in the year

* It is stated in a document dated more than one hundred years ago, that the Barnabas Fairs here alluded to had not then been held within the time of man's memory, but upon what account or for what reason they had been discontinued was not known. The market every Wednesday, and the other fairs granted by this charter of Richard II. to Stephen le Scrope, had been, however, constantly held and kept up to that time.

1632, granting him a Fair to be held every other Wednesday, from the 8th of May till Michaelmas, for corn and cattle, together with a Court of Piepowder.*

Copies of these charters will be found in the Appendix B. to this work. It will be seen on an examination of these charters, that none of them (except the last of them granting the fortnight fairs) give the Lord of the manor any tolls, or make any mention whatever of any tolls. Under such circumstances the Lord of the manor of Mashamshire is not justified in demanding or taking any tolls at any of these fairs, except the fortnight fairs. The law upon the subject, which is very clear, is thus laid down in Tomlynnes' Law Dictionary, under the word *toll*—"If the king grants to a man a fair or market, and grants no toll, the patentee shall have no toll; for toll being a matter of private right for the benefit of the

* The market and fairs held at Masham were in former times very much frequented, so much so that it very soon became a matter of complaint on the part of the Richmond people that their town had suffered very severely on account of them, and their property very much deteriorated in value. Even so late as the last century there was a good market at Masham, which was regularly attended by the people of Nidderdale and others from a great distance, who came and bought and carried away their goods on pack horses—a very primitive manner.

Fairs were formerly of much greater importance to a district than they are now, for it was at them that the people provided themselves not only with every description of pedlars' wares, but of clothing of every kind, which they might require for the use of themselves and their families until the next fair. These articles were not then to be had at shops in the same manner as they are now. Thus they were not only a great convenience to the district at large, but were an advantage to the town where they were held, by bringing with them a large influx of people to it, to attend such fairs. This alone necessitated an increased number of inns, and we accordingly find that there were formerly in the town, as well as in the parish of Masham, a much larger number of inns than there are at present. The villages of Swinton and Ilton even had their inns in those days, and were no doubt flourishing concerns, owing mainly to the excessive use of intoxicating liquors, which then unfortunately prevailed everywhere. They no doubt profited also from the circumstance of Masham being situate on the high road leading direct from York to Lancaster, and as such was very much frequented—Masham being then a place of call.

Lord, is not incident to a fair or market, as a court of piepowder is, which is for the benefit of the public, and the advancement of justice, etc. Such a fair or market is free from toll, *and after the grant made*, the king cannot grant a toll to such free fair or market without some proportionable benefit to the subject; and if the toll granted with the fair or market be outrageous, the grant of the toll is void, and the same is a free market, etc." —2 Inst., 220, Cro. Eliz. 550; and see 1 Wils. 109. Besides this I may mention that in the somewhat recent case of the Earl of Egremont *v.* Saul, 6 Adol. and Ell. 924, where the charter contained the very same words as are in the operative part of these charters, viz., "*cum omnibus liberis consuetudinibus*, etc., *ad feriam pertinentibus*," it was held that the Lord of the manor was not entitled to tolls. This defect appears to have been discovered as early as the year 1632, for it will be seen that Thomas Danby, Esq., in obtaining the charter for the fortnight fairs, obtains a grant of tolls for the *other* fairs. This part of the charter is of no effect for the reason above stated, namely, that the king could not *after the grant made* of those *other* fairs grant any tolls in respect of such other fairs. In short the insertion of those words in the charter of 1632 was a futile attempt to bolster up the Lord's title to the tolls of the other fairs.



Having thus described the several franchises to which the Lords of Mashamshire are entitled, I now proceed to describe the condition of the parish and district at the close of the Anglo-Saxon period, and the commencement of the Norman period of the history of this country.

We find by Domesday Book and other early authentic records, that the town of Masham, and the several other hamlets and villages which are now situate in, and constitute Mashamshire, were all then (*viz.* before A.D. 1086) existing, with the addition of some others which have since wholly disappeared. A place called "Tuislebroc" is mentioned in the Domesday Survey as then existing, but has now disappeared altogether, although it is supposed to have been situate somewhere upon the banks of the Swinney (which was formerly called "Tuisellbroc," from *broc*, a brook or beck, and *twisel*, twisting or winding); and there was also then a village called "Sywardthorp," which was situate near to Sutton (where there are still some ancient foundations to be seen), but which has also disappeared—

"We build with what we deem eternal rock,
A distant age asks where the fabric stood!"

From the name of this place, it is probable that it was one of the seats of Siward,* the great and powerful

* This Syward or Siward was a Danish chieftain, and the eighth Earl of Northumberland during the reign of Edward the Confessor. He was a man of most extraordinary strength and valour, and was appointed by Edward the Confessor, to lead an army of 10,000 men into Scotland, to aid Malcolm against the usurper Macbeth, whom he slew, when he set Malcolm on the throne of Scotland. Shakspeare, in his play of Macbeth, act iv., scene iii., has immortalized his name in the following couplet—

"Gracious England hath
Lent us good Siward, and ten thousand men;
An older and a better soldier, none
That Christendom gives out."

Siward, who was famous for his goodness and piety as well as for his valour, is reputed to have been the founder of St. Mary's Abbey at York. When this brave old warrior was on his deathbed at York, in the year 1055, and reduced by disease to the last extremity, he is said to have

Earl of Northumberland, who flourished in the reign of Edward the Confessor—*Syward* being the name of a person, and *thorpe* being the Saxon for village. Some other places, also, which are now single houses were then villages, such for instance as Aldbrough and Nut-with Cote.

At the time when the Domesday Survey was made, viz., before the year 1086, it appears that nearly the whole of Mashamshire was laid waste, and had accordingly very much lessened in value between the time of Edward the Confessor and that time. On referring to the extract from the Domesday Book, which is inserted in the Appendix A to this work, it will be seen that Masham, which was worth £6 in the time of Edward the Confessor, was then only worth 16s.; that Ellington was reduced in value during the same period from 40s. to 30s.; Sutton, which had been worth 10s., was then entirely waste; and Ilton, which had been worth 16s., was then only worth 8s.

The key to all this devastation is to be found in the pages of history, written by many contemporary chroniclers. From it we find that Mashamshire had to withstand for years the rude shocks of the repeated incursions of the Danes, and according to an old local tradition, was the scene of a great battle, which was fought with the Danes at Mowbray Wath—

“To shake the Saxon’s mild domain,
Rush’d in rude swarms the Robber Dane,
From frozen wastes and caverns wild,
To genial England’s scenes beguil’d;

exclaimed—“Oh, what a shame it is for me, who have escaped death in so many dangerous battles, to die like a beast at last! Put me on my impenetrable coat of mail,” * * * “Gird on my sword, place on my helmet, give me my shield in my right hand, and my golden battle-axe in my left—thus as a valiant soldier have I lived, even so will I die!” His friends obeyed this injunction, which was no sooner done than he expired. His body was buried in the church of St. Olive, at York. His son Waltheof, and successor in the Earl of Northumberland, did not die so honourable a death, having been executed at Winchester. Waltheof’s daughter, Matilda or Maud, married David Canmore, afterwards king of Scotland.

And in his clamorous van exulting came
The demons foul of famine and of flame;
Witness the sheep-clad summits, roughly crown'd
With many a frowning foss and airy mound,
Which yet his desultory march proclaim."

In it we are also told that from the banks of the Ouse to the river Tyne, the Pagan Danes* laid in ashes not only towns but also churches and monasteries,† which the piety of our Saxon forefathers had reared as the evidences of their recent conversion to Christianity; and that their greatest pleasure was in feasting their eyes with the flames of the burning villages which they had pillaged, and their ears with the groans of their captives expiring under the anguish of torture. From it, too, we know that scarcely had Mashamshire recovered from these days of severe trial, than it had again to undergo others still worse. Edward the Confessor, the last of our Saxon kings, having died in 1066, William Duke of Normandy laying claim to the English crown, put himself at the head of a formidable army, with which he ravaged the whole country, and although he succeeded in obtaining it by gaining the battle of Hastings, he was not contented until he had not only wrested from the ancient nobility of the country all their possessions, and given them to his own Norman followers, but had completely altered and subverted all their ancient Saxon laws and customs, which they dearly prized—

"The son of love, and lord of war, I sing—
Him who bade England bow to Normandy,
And left the name of Conqueror more than King,
To his unconquerable dynasty—

* The Danes seem to have been settled in Mashamshire and neighbourhood, for Gospatric, who was Lord of the town of Masham in the reign of Edward the Confessor, and Earl Siward, before alluded to, were both of them *Danes*.

† The Nunnery which formerly stood in the Marfield probably disappeared about this time.

Nor fann'd alone by victory's fleeting wing,
 He rear'd his bold and valiant throne on high;
 The bastard kept like lions his prey fast,
 And Britain's bravest victor was the last."

LORD BYRON.

This conduct naturally roused the people against him, and as was to have been expected, made them slow to submit to the Norman yoke. A violent struggle accordingly ensued between William the Conqueror and the Northern Barons. York was the rallying point of the patriot army. William proceeding from York towards the North, laid waste the whole country before him, between York and Durham, so that, as all the chroniclers relate, it was without inhabitants and people to till the ground for a period of nine years, and the few people that were left were fain to eat horse flesh, cats, dogs, and even men's flesh. It is said that 100,000 lives perished on that occasion. William of Malmesbury, who wrote eighty years afterwards, says, not an inhabited village remained—fire, slaughter, and desolation made a vast desolation there, which continued to that day. In the midst of all this, it was not by any means probable that Mashamshire would be spared, since it belonged to Edwin,* the Saxon Earl of Mercia, who with his brother Morcar, Gospatric, the then Lord of Masham town,†

* *Edwin* was the first Lord of Mashamshire of whom we have any account. For the particulars of his life and doings, and that of his brother, Earl Morcar, see Edwin's pedigree *post*.

* It is stated in *Piet. Hist. Engl.*, vol. i., page 372, that "An English army, commanded by Gospatric, disheartened, disorganized, and very inferior in numbers, retreated before the Normans, and either retired into Scotland or threw itself into the mountains, *being followed by all the population that had strength and activity enough to escape*." William the Conqueror soon afterwards summoned Earls Edwin, Morcar, and Gospatric, to appear before him to answer for their offences. Gospatric, however, had the good sense not to obey the summons, but abandoning all he possessed in England, fled to Scotland, where King Malcolm Conmore gave him a castle and lands upon which he settled and founded a noble house. The families of Dunbar and Dundas (at the head of the latter of which is the present Earl of Zetland), deduce their pedigrees from this Gospatric.

and Archill, his brother Morcar, Lord of Ilton, were the Conqueror's bitterest and most formidable foes.

The great depreciation which had taken place in the value of Mashamshire, as shewn in the Domesday Survey and other early documents, is thus easily accounted for. After a while, however, notwithstanding the repeated incursions of the Scots into this district, most of the villages rallied again, and were rebuilt, but some there were which never again rose from their ashes.

We may picture to ourselves Mashamshire at this time as being a vast forest, consisting for the most part of thickly-studded woods, interspersed with extensive plains, dotted here and there by the several ancient Saxon villages, the habitations of men, surrounded by patches of cultivated ground. Whilst the woods were the lairs and resting-places of the wild boars, the wolves, the foxes, and the wild cats, which then infested the country, the plains supplied rich browsing ground for the fallow deer, which abounded in every part, affording good sport for the hunter—

“On, and ever onwards bounding,
Scours the hunter to the chase;
On, and ever onwards bounding
To the mountain's wildest space.
Swift, as footed by the wind,
Flies before, the trembling hind.
Light and limber, upwards driven,
On the hoar crag quivering,
Or through gorges thunder riven
Leaps she with her airy spring!
But behind her still the foe—
Near and near the deadly bow!”

BULWER.

In the neighbouring forests of Wensleydale, Teesdale, and Galtres, we read that these were not the only wild animals that they were troubled with—their forests and woods being also infested with even bears and wild bulls; and there is little doubt but that it was so, at least to some extent. We may therefore conclude that this dis-

trict would not be wholly exempt from them. The bears, however, soon disappeared, owing to the great passion our rude forefathers had for bear-baiting,* which continued long after the bear had ceased to be a native of our woods, when it gave way to bull-baiting, which continued here until a comparatively recent period, when it in its turn gave way to advancing civilization. I believe there are still to be seen in our Masham market-place, the rings, and at any rate the stones to which the bulls were attached for the purpose of baiting, and I even have some slight glimmering of the recollection of Susy Fleetham's bull being baited there. The wolves, though once plentiful enough, according to our earliest records, were destroyed at a much earlier period, as after the thirteenth century we have little mention of them in England; although I believe a solitary one was found in Scotland so late as the year 1680, and another in Ireland in the year 1701.

Wild cats continued to be found within this parish so recently as about 150 or 200 years ago, as appears by entries in our church books, wherein I find that the churchwardens, as was usual in those days, charge the parish with the payment of money for the destruction of wild cats as well as other vermin. These church books afford very conclusive evidence of the wildness of this part of the country, from the great number of wild cats, badgers, foxes, and fougarts, which appear therein to have been killed, and to have been paid for every year by the churchwardens.

About the seventeenth century, the deer, which had before been very plentiful, also gave way to the progress

* It would seem from the following passage in a very rare Roman Catholic book—"The Life of the Rev. Father Bennett of Canfield, Douay, 1623," translated from the French by R. R., Catholique Priest, page 11—that bear-baiting was continued to be practised in England until very recent times. "*Even Sunday is a day designed for beare-baiting, and even the hour of theyre [the Protestants'] Service is allotted to it, and indeede the tyme is as well spent at the one as at the other.*"

of agriculture, to make room for more useful cattle, although I believe in the neighbouring forest of Wensleydale, they lingered there until the beginning of the last century. Whilst they continued with us, all our accounts are filled with the disputes which were continually arising respecting them, and the rights of the chase.

The hunting of the wild boar was in this as in other districts in England, once a favourite amusement of our ancient Lords. The wild boar is treated both by the ancient Welsh and English laws as a beast of the chase, which was reserved principally for the amusement of the king, and was so much prized in the reign of William the Conqueror, that a person convicted of killing a wild boar without royal authority, was punished with the loss of his eyes. They seem, however, to have been plentiful enough in this district, so much so as to have given the name to Swinton.

The wild boar, it seems, soon became extinct, and the tame breed had taken its place in our woods as early as in Roger de Mowbray's time, namely, in the eleventh century, as we find from the early grant of his, before alluded to, wherein he grants to the people at Burton-upon-Yore the pawnage or pannage of their hogs quit in the forest of Masham. As early, indeed, as the Saxon times, it appears that swine were kept in prodigious numbers, and were esteemed amongst the most valuable of their possessions, and that they fed great herds of them amongst the oak and beech groves, under the care of numerous swineherds.* Even, too, in our

* Swine were kept in great numbers during the whole of the Anglo-Saxon times, and none of the common occupations of husbandry are more frequently mentioned than that of the swineherd. In the will of a nobleman, two thousand swine are left to his two daughters; another nobleman gives to his relations, a hide of land with one hundred swine, and he directs two hundred swine to be given to two priests, in equal proportions, for the good of his soul; and an individual gives land to a church on the condition that two hundred swine are fed for the use of his wife.—See Pict. Hist. Engl., vol. i., page 277.

own times it would seem that the regulation of the swine has been thought a subject worthy of legislative enactments, as by the Statute 35 Hen. VIII., cap. 17, sec. 17, it was enacted that swine should not go unringed in woods. It also appears by more recent documents that up to the time of the enclosure of the moors and commons, which then came down to Masham town-end, that vast numbers of swine were still kept here, and were allowed to run in the neighbouring woods and waste lands, under the care of a regularly appointed swine-herd, and that they were herded in a garth at Masham town-end, still called Swinegarth, and now in the occupation of Mr. Edmund Barker.



"BRYNGYNG IN THE BORE'S HEAD." *

The MILLS next claim our attention, as being amongst the best indicia of the state of progress and civilization of a people at any given period.

One thing strikes me as somewhat remarkable, and that is, that no mention whatever is made in the Domesday Survey of there being any mills within Mashamshire,

* The boar's head was formerly a favourite Christmas dish. Aubrey, in a MS. of the date 1678, in the Ashmolean Museum, Oxford, says, "Before the last civil wars, in gentlemen's houses, at Christmas, the first diet that was brought to table was a boar's head with a lemon in his mouth." It was brought in with the trumpets sounding before it. The Carol "*bryngyng in the bore's head*" is well known.

although we know that mills* for grinding corn had become common about the close of the Saxon period, and that very soon after the Conquest there were several mills in existence within the parish. Had any mills then existed in the parish, one would have expected to have seen them mentioned in the Survey. Many mills are mentioned in Domesday, and Sir Henry Ellis, in his Introduction to Domesday Book says "Whenever a mill is specified in Domesday Book, we generally find it still subsisting. Mills anciently belonged to the Lords of manors, and the tenants were permitted to grind only at the Lord's mill." We must therefore conclude that either no such mills had been then built, or that they had been destroyed during the wars; this latter supposition is the much more probable view of the matter.

As early as the eleventh century, we find Roger de Mowbray, by a grant before referred to, giving the owner of Burton leave to make a mill, and to fasten the stagnum or mill-pool within the forest of Mashamshire. This mill, however, appears by another document to have fallen into decay as early as the year 1352.

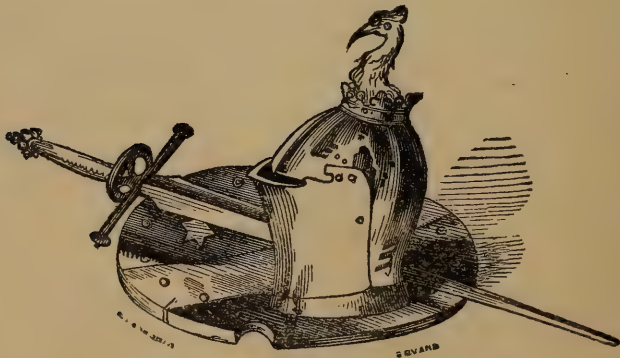
At, or very soon after this period, we find that there was a mill at Ilton, and that one Sir Richard de Waxwid or Waxwand, knight, in giving his moiety of it to the monks of Fountains, at the same time stipulating that his freeholders should perform the same services to the mill, and help to repair the same, as they had been used to do to him, and reserving to himself and his heirs the right of grinding his corn at it, and also covenanting that he would not permit any other mill to be erected or used in his territory. This mill would no doubt find plenty of employment whilst the monks of Fountains had their Cow-grange at Pott-grange.

* No description of building is so frequently mentioned in Domesday Book as water mills. They were in every case the property of the Lord of the Manor, and the tenants were not permitted to grind at any other mill—a restriction which has not been abolished in some cases even at the present day.—*Pict. Hist. Engl.*, vol. i., page 600.

There was also at about the same date, another mill at Swinton, also the property of the monks of Fountains Abbey. The site of it is known even at this day. It would seem, however, that afterwards there were two mills at Swinton, for it appears by the Act book of the Ecclesiastical Court at Masham, that on the 14th of May, 1635, Christopher Lodge, of Masham, was presented for not paying his church-rates "of Swinton corne milne," and at the same court, "John Lucas, of Massham, for the cloth mill in Swinton." Again, on the last day of February, 1638, John Lucas is presented for not paying his church-rate "for the Walk mill," and John Lofthouse, for not paying his church-rate for "Swinton mill," and again on the 14th of May, 1639, "Christopher Lodge, of Masham, was presented for not paying his church-rate for the corne mille of Swinton," and John Lucas, of Massam," for the cloth mill in Swinton. See Appendix D.

Besides these mills, there were in the year 1392, two other corn mills in Mashamshire, which are described as being then worth by the year, beyond reprizes, £10, which was a very large sum at that date, when we consider that in that same valuation, land is valued at from fourpence to eightpence per acre, and other property in like proportion.*

There was also formerly a cotton mill at Healey—a flax



* Many years ago, an attempt was made to assert a claim on behalf of the corn mill at Masham, as being a *soke*, but this was resisted, and was ulti-

or hemp mill in the Marfield—and a comb manufactory at Nutwith Cote.

BRIDGES, also, are another index as to the progress of a people. Although our Saxon forefathers knew how to construct bridges both of stone and timber, bridges appear to have been but scarce in this district. We have already seen that when Leland, the antiquary, visited Masham, in the reign of Henry VIII., namely, about the year 1540 or 1550, there was only a wooden bridge over the Yore at Masham, and not one at all at Tanfield, although there were stone bridges over it at Wensley and Kilgram, which were then old. Leland then described Masham as being “a praty quik market-town,” having “a fair church,” with “wood, pasture, and sum good corn.” The land between it and Grewelthorpe he describes as being then lingy and moorish. On the other side of the river Yore, he says “lyeth Aldeburg village,” and further east “at Thorpe” (meaning Thorpe Perrow), “one of Master Danby’s houses.”

The “tymbar” bridge mentioned by Leland as being over the Ure at Masham, was, I believe, the bridge which was washed away in a great flood which took place on the 2nd of February, 1732-3, and was the greatest flood known in the memory of men then living. Masham and Tanfield bridges were both broken down by it, and the North bridge at Ripon was also greatly damaged. The present bridge at Masham was built A.D. 1754, and was in its turn nearly swept away by the great flood of the 2nd of February, 1822, and which did very great damage, not only to the foundations of the bridge, but to the country generally.

Whilst upon the subject of bridges, I may mention that in the Act book of the Ecclesiastical Court already cited, it appears that on the 5th September, 1621, one “William Dodgson and Jane his wife” were cited before

mately abandoned; Mr. Danby having first satisfied himself that there was no ground for making any such claim, and a fortunate thing it was for the people of Masham.

the Ecclesiastical Court here for committing fornication together before their marriage;" and the aforesaid William Dodgson having confessed "that he committed the crime aforesaid on the said Jane afore their marriage," the judge "did enjoin that they should acknowledge their fault before the minister and churchwardens, and to pay six shillings to the repairs of Burne bridge"—a most righteous and *useful* decision!

Elizabeth Jackson, of Ellingstring (widow), by her will, dated the 10th December, 1660, gave "ten shillings to the building of a bridge at Swinton Milne," and directed that if one should not be built within ten years after her death, that the legacy should go to the poor of Swinton; "also Mr. Beaverley to preach my funeral sermon,* whom I leave ten shillings for his paines."

Anthony Beckwith, of Nutwith Cote (yeoman), by his will, dated the 10th of January, 1623, gave and bequeathed to the repairing of "the bridge called Ladie, standing over the river Bourne, in the parish of Masham, forty shillings." This last mentioned bridge was no doubt Low Burne bridge, which at that time was but a horse bridge, but has since been widened, so as to admit of carriages, etc. passing over it.

Edward King, of Sowermire, by his will, dated the 8th of March, 1625, gave to the building of "Golden life brigg vs." [Gowlinglithe bridge].

The monks of Fountains, very soon after their establishment, appear to have obtained a footing here, Earl Alan, one of the earliest Lords of Mashamshire, having given them all the wood which is on the Burton side of the river Yore, for the purpose, as some of the accounts have it, of building Fountains Abbey itself with it, but as other accounts say, and much more likely to be true, for the purpose of building for themselves a cell at Aldburgh. Very shortly afterwards, Roger de Mow-

* Funeral sermons had their origin in the funeral orations which used to be pronounced over deceased martyrs. Ten shillings was the usual fee for a funeral sermon, which was more than they were often worth.

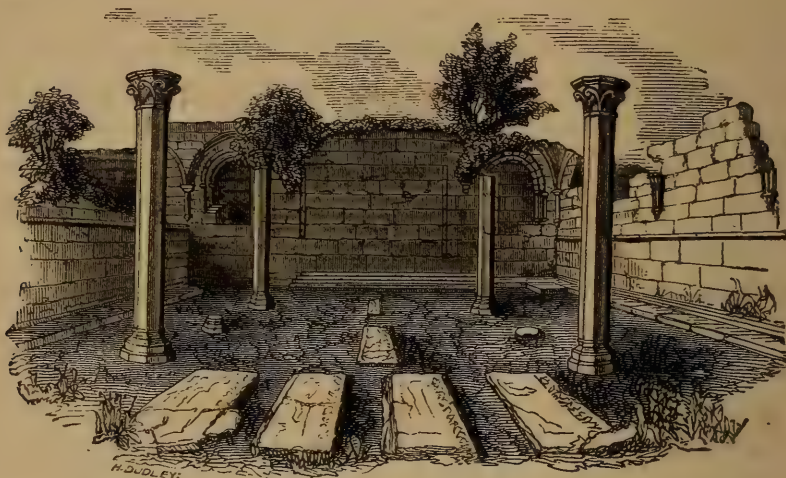
bray, besides confirming to them what Earl Alan had previously granted to them, gave Aldburgh itself to them, with common of pasture in Swinton and Roomer; he also gave them the dead wood, as well standing as lying, to make charcoal for their forge there; and by a subsequent grant, he gave them a road for their cattle, to go from Aldburgh to feed on the moor between Swinton and Nidderdale, belonging to the Honor of Masham; and one Richard de Hedona, a tenant of Roger de Mowbray, also gave them sixty acres of land on Nutwith,* which he describes as being near to the *camp*, to the bounds of Aldburgh, and to the river. All subsequent accounts shew that at Aldburgh the monks of Fountains had a very extensive grange, as well as another at Pottgrange. Aldburgh-grange had, it seems, fallen into decay so early as the year 1363, and was then so ruinous (as stated in an Inquisition of that date) that the monks were not able to repair it. It was, however, repaired, and it remained in the hands of the monks of Fountains until the time of the dissolution of the monasteries, when it was seized and sold by King Henry VIII. It was purchased by Sir Roger Beckwith, in the year 1597,

* *Nutwith* is derived from *Canute*, a man's name, which being Danish, is always pronounced and sometimes written as *Cnut* or *Knut*, and *with* (which is also Danish), a forest or wood—hence we have Canute's forest or wood. Some, however, suppose the name to have been derived from *Nut*, the well-known wild fruit of that name, and *with*, a wood, hence *Nutwood*.

Nutwith Cote, which is situate near to Nutwith, is the residence of Thomas Edmundson, Esq. The house is very ancient, and contains a large quantity of black oak. The walls of one of the rooms are hung with Spanish leather, bearing embossed devices, and figures of angels, bacchanalians, grapes, etc., in gold.

Sir Patrick Mackie, of Largo, a lieutenant-colonel of horse in the Scotch army, appears to have had a temporary residence here, as a slab was found in the churchyard of Masham, in 1861, bearing the following inscription upon it—"Here lyeth the body of Sr. Patrick Mackie, of Largo, and lieutenant-coll. of horse in the Scots armie"—and on turning to the Register of Burials for Masham parish, I find the following entry concerning him, viz., "1647—Nutwith Coate, Sr. Patrick Mackie, knight, was buried the sixteenth day of January."

in whose family it remained until it was again sold to an ancestor of John Timothy D'Arcy Hutton, Esq., the present owner of it.



CHAPTER HOUSE, JERVAUX ABBEY.

The working of MINES in a district is also evidence of considerable progress having been made in the arts and civilization. No mention is made in the Domesday Survey of there being any mines within Mashamshire, but it is certain that as early as the year 1250, iron mines were worked in it. In that year Sir John de Wauton, the then Lord of Mashamshire, by deed bound himself and his heirs to the monks of Jervaux, never to raise a forge in Colsterdale, nor give nor sell any iron mines therein, in order, as I suppose, that the working of such mines might not prove injurious to the grange which the monks of Jervaux then had in Colsterdale; or disturb their deer.

In the year 1334, I find that there were also coal mines* in Colsterdale, and that Sir Jeoffrey le Scrope, the then Lord of Mashamshire, by deed, granted to the

* Coals were not in common use in England until the reign of Charles I., 1625. The burning of them was thought to be prejudicial to human health, and were prohibited being used in London, and even smiths were obliged to burn wood in 1273. The coal mines in Colsterdale were worked much more extensively than they are at present, down to a period within the memory

Abbot and Convent of Jervaux and their successors, for ever, the sole right of getting coals upon the wastes of Colsterdale, upon the payment to him of the annual rent of eight marks; and I also find that by another deed, dated in the same year, Sir Jeoffrey le Scrope granted to the same monks a free way through all Mashamshire to their coal mines in Colsterdale, on payment to him of twenty quarters of coals yearly. I also find a coal mine mentioned in an Inquisition taken in the year 1392, as belonging to the Lords of Mashamshire, and which was then bringing in a rent of forty shillings a year, thereby shewing that it was worked even then on a pretty extensive scale; for forty shillings a year was then a large sum.

LEAD, also, has been found in this parish. About the year 1709, when the colliers were following up a coal seam on Thorney Grane, about two miles and a half west of Colsterdale, they cut through several veins of lead. Lead was continued to be got there for several years afterwards, but proving unprofitable, the works were ultimately abandoned. In the adjoining dale of Nidderdale, however, lead mines appear to have been worked even so far back as in the time of the Romans. Some few years ago, a pig of lead* with Roman marks, and bearing the name of the reigning monarch upon it, was found there, and is now deposited in the British Museum.

Having already mentioned Aldburgh-grange as belonging to the monks of Fountains, and Colsterdale-grange as belonging to the monks of Jervaux, I ought not to omit mentioning that about the year 1201, Gilbert

of some of the oldest inhabitants of the place, and were the means of introducing a large number of families into this district, who have settled here.

* The pig of lead here alluded to was discovered underground on Hayshaw Moor, in the year 1731, half-way between the ancient lead mine north of Pateley Bridge and the Roman road from Ilkley (*Olciana*) to Aldbrough (*Isurium*). It weighs 154lbs., and is inscribed with the name of the Emperor Domitian, when he was consul for the eighth time A.D. 82.

de Wauton, the then Lord of Mashamshire, gave Pot-grange to the monks of Fountains, with a right of Common upon Sowermire, and also fifteen acres of land in the fields of Masham, called Brathorne. Pot-grange, like Aldburgh-grange, remained with the monks of Fountains until the time of the dissolution of the monasteries, when it was seized by King Henry VIII., and by him granted out to Sir Richard Gresham, who, as patentee under the Crown, sold it, with other property, to Mr. William Singleton of Fountains, from whom Sir Thomas Danby bought it in the year 1586.

POTTERIES also give us a notion of the advance of the people in the arts and civilization. There was anciently a pottery where Healey church now stands. The field in which the church was built was called the "Potter's field," and when the workmen were digging the foundations of the church, they found a large quantity of apparently refuse or mis-shaped pots. There appears, also, to have been another pottery at a place in Colsterdale, called "Potter's Pitt," where some clay-pits have evidently been worked, and where, also, mis-shapen pots have been found. This latter place was according to some old maps a very ancient inclosure from the moor.

Besides these memorials of peace in by-gone days, we have others as indicative of war and bloodshed. Upon Roomer, and near to the houses there, is the site of a Roman camp, with a Tumulus near it, both yet plainly visible, and capable of being easily traced. Upon Nutwith, and in the centre of a wood, is the site of another camp, which tradition has always pointed out as "Mowbray's camp." There are, also, some earthworks upon Nutwith (and as such they are shewn upon the Ordnance maps), which are supposed to be the remains of a very ancient camp. There is, also, another of these camps in Colsterdale; and, according to a map of the Roman roads in Yorkshire, which has been published by the Royal Society of Antiquaries, it appears that there is a small oval camp in Swinton Park. But

“ Where once the steel-clad warrior trod,
Spring renews her verdant wreath ;
And o’er the once ensanguined sod,
Flowers their mingled incense breathe.
Where the clang of clarion rose,
All is silence and repose ;
Save where in yonder halls of state,
The blackbird serenades his mate.

Judging from the existence of these several camps within the parish—the history of the times—the devastation already alluded to as having been made in the parish, and the traditions* which have been handed down to us, we have much reason to believe that Mashamshire has on more than one occasion been a battle-field, whereon contending armies, actuated by fierce and hostile passions, have enacted deeds of bloodshed and carnage. Nor is there less reason to believe but that Mashamshire itself has in its time produced its own share of the bone and sinew by which such battles have been fought and won, in the shape of stalwart men. The brave and warlike character of our early lords, the times in which they lived, the chivalrous spirit of those times, and the tenure by which they held their manors and lands from the king, and by which too their vassals held such lands of them, as well as the page of history, all go to shew that both lords and vassals have each enacted their part in many a sanguinary battle. Upon the Norman Conquest, the feudal system was introduced into this country in all its rigour, and the consequence of it was, that all the lands in the kingdom were divided into what were called knights’ fees, in number above 60,000; that for every knight’s fee, a knight or soldier was bound to attend the

* The tradition, however, that *Roger de Mowbray* fought a battle with the *Danes* at Mowbray-Wath cannot be correct, as the incursions of the Danes had ceased long before his time, and *Gospatrie* the Dane, was quietly enjoying his Manor of Masham Town at the time of the Conquest, and had quitted the place before *Roger de Mowbray* was born, as will be shewn in the course of these pages. There can be little doubt, however, that there is some truth in the tradition, that a battle was really fought there, but not with the Danes.

King in his wars (and that, too, either within or without the realm), mounted and armed for forty days in every year. In this space of time (before war was reduced to a science, as it now is), the campaign was generally finished, and the kingdom either conquered or victorious. By this means alone, the King had without any expense to himself, an army of upwards of 60,000 well-equipped men, always ready at his command; and by the same law, the Lord's vassals were in like manner bound to accompany their lords to such wars.



MORNING OF THE TOURNAMENT.

“Knights, with a long retinue of their squires,
 In gaudy liveries march, and quaint attires;
 One laced the helm, another held the lance,
 A third the shining buckler did advance.
 The courser paw'd the ground with restless feet,
 And snorting foam'd and champ'd the golden bit;
 The smiths and armourers on palfreys ride,
 Files in their hands, and hammers at their side,
 And nails for loosen'd spears, and thongs for shields provide.
 The yeomen guard the streets in seemly bands,
 And clowns come crowding on with cudgels in their hands.”

PALAMON AND ARCITE.

Thus from necessity alone, if not from choice, would our early lords and their vassals be bound to take part in the many wars and civil commotions and insurrections which disgraced the reigns of our early monarchs. This necessity, however, was not the sole cause which induced them to take part in such wars. Such was, indeed, the chivalrous spirit of those times, that most, if not all of

them, were ever ready from the mere love of the excitement necessarily attendant on martial enterprises, if not from the promptings of loyalty, or love of country and their own aggrandizement, to draw the sword, and to incur the risks and dangers of war—that “malady of princes”—and that, too, for causes not always justifiable.

“ War is honourable

In those who do their native rights maintain ;

In those whose swords an iron barrier are

Between the lawless spoiler and the weak ;

But as in those who draw th’ offensive blade

For added power or gain, sordid and despicable

As meanest office of the worldly churl.”

JOANNA BAILLIE.

The promptings of loyalty and love of country was not, however, by any means wanting in the “Barons bold” of this highly favoured nation, for it is to them, and them only, that we owe the large measure of freedom which we at present enjoy—

“ Yet *Barons* of the land ! to you

A grateful people still retains

Proud memory of the swords ye drew—

The swords that brake a tyrant’s chains,

And planted Freedom on our plains !

For Freedom’s cradle was the *Keep*,

Her Guardians were the Barons bold ;

Who placed her Temple on the Steep,

And on her head a crown of gold ;

And cried—‘ The deed is done ! Behold

Henceforth our British land shall be

The glorious land of Liberty ! ’ ”

Prompted by one or other of these motives to action, the Lords of Mashamshire, and with them, their numerous vassals and followers, have ever taken a prominent part in the military transactions of this country, and as such, have participated in the dangers as well as the glory of some of the most memorable wars in which this country has ever been engaged. Passing over the high military achievements accomplished by our earliest Lords, Earl Edwin and Earl Alan (as having taken

place before the period I have referred to, namely, the introduction of the feudal system into this country), and of Nigel de Albini, another early and potent Lord, who was bow-bearer to King William Rufus, and was present at his death (because his valiant actions are more than effaced by the great devastation which he in his military capacity, and as a follower of the Conqueror, assisted in bringing upon this district), we come to Roger de Mowbray, another early Lord, who, not to mention any other of the many battles in which he was engaged, the Rebellion which he raised in Yorkshire on behalf of Prince Henry against his father, Henry II., or his expeditions as a Crusader to the Holy Land—whilst he was yet a mere stripling, he not only fought at the head of his vassals from this and his other manors, but was one of the brave commanders at the memorable battle of the Standard,* fought at Northallerton, on the



Figures of the Standard, from Aelred's "*Historia de bello Standardi.*"

* The immediate cause of this battle was the usurpation of King Stephen

22nd of August, 1138, at which David Bruce, king of Scotland, whilst seeking to invade this country, was signally defeated, and thus was this district saved from a repetition of the fearful carnage and devastation which it had suffered on many former occasions from the repeated incursions of the Scots.

In the ancient ballad on the "Battle of the Standard," fought on Cuton-moor, near Northallerton, David Bruce is made to say, on reviewing the two contending armies in battle array:

"And whoo's yon youth I see
A galloping o'er the moore?
Hys troopes that followe so gallantely
Proclayime hym a youthe of pow're."

To which question the poet gives the following as the answer to it:

"Young Roger de Mowbray is that youthe,
And he's sprung of the royal line;
Hys wealthe and hys followers, oh King,
Are allemost as greate as thyne."

Sir Jeoffrey le Scrope, another early Lord of Mashamshire, too, although bred to, and an adept in, another species of warfare, I mean that of the law (a warfare, by the way, which, whatever else it may do, spills no blood), was not the less valiant, and fought in many a battle-field, not only against the Scots but against

of the Crown of England, which by right belonged to King David's sister, Matilda or Maud, usually called the Empress Maud from her having married the Emperor of Germany. This naturally provoked the Scots, as well as many of our English nobility, who accordingly took up arms against Stephen, with the purpose of placing the Empress, as the rightful heiress, on the English throne.

The reason of this battle being called the "Battle of the Standard" was in consequence of its being fought under a Standard, made of a long pole like a ship's mast, which Thurstan, the Archbishop of York, brought from the convent of Beverley. It was mounted on a four-wheeled carriage, and had on the top of it, a silver crucifix, under which were suspended the banners of St. Peter of York, St. John of Beverley, and St. Wilfrid of Ripon, and above all, in a silver pix, the consecrated host.

the French, whilst his son, Sir Stephen Scrope, also fought and distinguished himself at the memorable battle of Cressy, and the sieges of Calais and Berwick; and another son, Sir William Scrope, with equal valour, fought at the several battles of Sluse, Cressy, Neville's Cross near Durham, Espagnola-sur-mer, Poitiers, Berwick, and Najara, as well as at the siege of Calais. Sir Henry Scrope, another Lord, fought as bravely at the siege of Berwick, and at the several battles of Hallidon Hill, Sluse, Cressy, Neville's Cross near Durham, Espagnola-sur-mer, and at the siege of Calais, all of which have been rendered famous in the annals of this country. Sir Stephen le Scrope, another Lord, also served his country not less faithfully in the wars of France, and having taken upon him the cross and become a Crusader, went to the Holy Land to fight against the enemies of his religion, for the rescue of the holy places from the possession of the pagan Turks, and fought at the battle of Najara. Other Lords of Mashamshire have served their country as efficiently, and not less faithfully, in the arts of diplomacy, in the senate, the cabinet, and in high offices of State.

Of this last number may be classed the unfortunate Henry Lord Scrope, Treasurer of England, who was attainted and beheaded for high treason, in the reign of Henry V.

As a history of Mashamshire could hardly be said to be complete unless it contained some account of the circumstances which led to the sad event I have last named, I purpose to state them here.

In the summer of the year 1413, Henry V., actuated by those feelings of ambition which were no less natural to his age and character than consonant with the manners of the times in which he lived, but without the least shade of right to support his pretensions, laid claim to the Crown of France, as the heir of Isabella, the wife of Edward II. He accordingly sent Henry Lord Scrope (of whom I am now speaking), and some

others, as ambassadors to the Court of Charles VI., King of France, to make his unjust demand. This demand not being complied with, Henry V. determined to assert his pretended right by force of arms, and, accordingly, in the month of July, 1415, ordered all his troops to repair to Southampton, where they were to embark, and whither he himself went with his court and retinue, including Henry Lord Scrope, Lord of Mashamshire, in order to superintend personally their embarkation. About the end of July, 1415, whilst the King was preparing to embark, a treasonable conspiracy against the King's person and government was discovered, the conspirators being Richard Earl of Cambridge (brother of the Duke of York), Henry Lord Scrope of Masham (the Lord Treasurer of England), who so far possessed the confidence and friendship of the King, that he commonly lay in the same room with him, and Sir Thomas Grey of Heton (knight), who was a Privy Counsellor. Immediately on this discovery being made, the King, by his warrant, dated the 21st of July, 1415, commanded the Sheriff of Southampton to summon a jury, for the trial upon the spot of the parties implicated. The Earl of Cambridge, and Henry Lord Scrope, however, having claimed their privilege of being tried by their Peers, a commission was accordingly issued, and addressed to the Duke of Clarence, for their trial, who thereupon summoned Humphrey Duke of Gloucester, Edward Duke of York (who was allowed to name Thomas Earl of Dorset, as his deputy, probably on account of his near relationship to the Earl of Cambridge), Edmund Earl of March, the Earl of Huntingdon, the Earl of Arundel, John Earl Marshall, Thomas Earl of Salisbury, Richard Earl of Oxford, Michael Earl of Suffolk, John Lord Clifford, Gilbert Lord Talbot, William Lord Zouche, John Lord Harrington, Robert Lord Willoughby, William Lord Clinton, John Lord Maltravers, Hugh Lord Bouchier, and Lord Bortreaux—"Lords and Magnates of England, and

Peers of the said Richard Earl of Cambridge, and Lord Scrope, being then present, and intended for the voyage of our Lord the King beyond the sea."

The court, thus irregularly constituted, forthwith proceeded as irregularly and as unconstitutionally with the trial of the prisoners. The prisoners, though one of them was a prince of the blood, were not even produced in court on the trial, or allowed to be heard in their own defence, but were tried behind their backs. No witnesses were indeed examined against them, the only evidence produced against them being the deposition which had been made by Sir John Popham, the constable of the Castle of Southampton, on the previous trial of Sir Thomas Grey, deposing to an alleged confession to him. Upon this evidence alone were the prisoners pronounced guilty, and sentence of death, as traitors, passed upon them, and they accordingly paid the forfeit of their lives on Monday, the 5th August, 1415.

The Earl, being of the blood royal, was merely beheaded, "but" as is recorded in the Rolls of Parliament, "to mark the perfidy and ingratitude of Scrope, who had enjoyed the King's utmost confidence and friendship, and had even shared his bed, he commanded that he should be drawn to the place of execution, and his head should be affixed on one of the gates of the city of York."

What was alleged against the prisoners on their trial, if trial it may be called, was this—that on the 20th of July, 1415, the Earl of Cambridge and Sir Thomas Grey falsely and traitorously conspired to collect a body of armed men, to conduct Edmund Earl of March, to the frontiers of Wales, and to proclaim him the rightful heir to the Crown, in case Richard II. was actually dead; that they solicited Thomas Trumpyngton (who personated King Richard), Henry Percy, and many others from Scotland, to invade the realm; that they intended to destroy the King, the Duke of Clarence, the Duke of Bedford, and the Duke of Gloucester, with

other Lords and great men, *and that Henry Lord Scrope of Masham, consented to the said treasonable purposes, and concealed the knowledge of them from the King.* These are the very words of the charge brought against them.

Irregular and unjust as the proceedings on this trial were, there can be little doubt as to the guilt of the Earl of Cambridge, inasmuch as he confessed it, and such, his confession in his own handwriting, may now be seen in the British Museum. In this document, the Earl of Cambridge positively accuses his brother-in-law, the Earl of March (who it will be seen sat as one of his judges, and as such was one of those who condemned him to death), with assenting to the conspiracy, *but at the same time he altogether exculpated Henry Lord Scrope*

Shakspeare, in his play of "King Henry V.," represents the King as thus reproaching Lord Scrope on that occasion:—

"What shall I say to thee Lord Scrope; thou cruel,
 Ingrateful, savage, and inhuman creature!
 Thou, that didst bear the key of all my counsels,
 That knewest the very bottom of my soul,
 That almost might have coined me into gold,
 Wouldst't thou have practised on me for thy use?
 May it be possible, that foreign hire
 Could out of thee extract one spark of evil,
 That might annoy my finger? 'T is so strange,
 That, though the truth of it stands off as gross
 As black from white, my eye will scarcely see it.
 O, how hast thou with jealousy infected
 The sweetness of affiance! Shew men dutiful?
 Why, so didst thou: seem they grave and learned?
 Why, so didst thou: come they of noble family?
 Why, so didst thou: seem they religious?
 Why, so didst thou: or are they spare in diet?
 Free from gross passion, or of mirth or anger;
 Constant in spirit, not swerving with the blood;
 Garnished and decked in modest complement;
 Not working with the eye, without the ear,
 And, but in purged judgment, trusting neither?"

Such, and so finely bolted, didst thou seem.
 And thus thy fall hath left a kind of blot,
 To mark the full-fraught man, and best endued,
 With some suspicion. I will weep for thee ;
 For this revolt of thine, methinks, is like
 Another fall of man !”

KING HENRY V., ACT II., SCENE II.

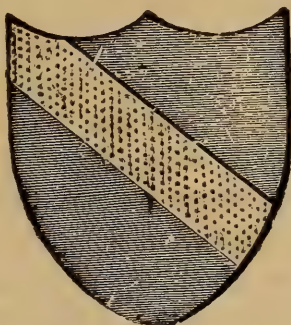
Sir Nicholas Harris Nicolas, in speaking of this transaction, in his History of the Battle of Agincourt, says, “Historians have, however, generally confessed their utter inability to explain upon what grounds the conspirators built their expectations of success, as unless they had been promised powerful assistance from France, the design seems to have been one of the most absurd and hopeless upon record.”

Cheap as human life seems to have been held in those semi-barbarous times, one can with difficulty bring oneself to believe it possible that any man, much less men of such mark and character as these prisoners were, could have been found guilty of such a serious crime, upon such evidence ; and still less that the King could, after the confession so made by the Earl of Cambridge, exculpating Lord Scrope, have allowed the sentence to be carried into effect. It seems, however, from the Rolls of Parliament, that “the King did before his death *much repent* to the Duke of Exeter of the taking away the land of the Lord le Scrope, upon the attainder of Henry, the last Lord ;” and that the lands were afterwards restored to the family, with the full consent of Parliament, by whom the attainder was reversed.

The historian Rapin, in speaking of this so-called trial and execution, and commenting upon its irregularity, says, “This was, as it were, the first spark of that flame which consumed, in process of time, the two Houses of Lancaster and York”—referring to the wars of the Roses, of which I shall have to speak hereafter.

Whether Henry Lord Scrope, was or was not guilty of the traitorous act for which he forfeited his life, his successors in his honours and estates (whatever they felt

on account of the gross injustice thus inflicted on their noble house), ever afterwards proved themselves as loyal to their King and country as to the faith which they have ever honestly and sincerely professed; and that, too, under circumstances the most trying to their constancy.



ARMS OF SCROPE.

During the sanguinary dispute between the two Houses of Lancaster and York, known in history as the "War of the Roses,"* which lasted full thirty years, during which period no less than twelve regular pitched battles were fought within this kingdom, by Englishmen against Englishmen, at a cost of one hundred thousand lives, and above eighty royal princes fell by each other's swords, and the ancient nobility and gentry of this kingdom were almost entirely annihilated. The Scropes of Masham remained, throughout, faithful to their King, and to the cause of the red or Lancastrian Rose, whilst their kinsmen and their neighbours as warmly and as zealously espoused the cause of the white Rose of York, or changed about from side to side, as their interest for the time being led them.

* These wars originated with the descendants of Edward III. That monarch was succeeded by his grandson Richard II., who being deposed, the Duke of Lancaster was proclaimed King, by the title of Henry IV., in prejudice to the Duke of York, the right heir to the crown — he being descended from Lionel, the *second* son of Edward III., whereas the Duke of Lancaster was the son of John of Gaunt, the *third* son of King Edward. Much regard, however, was not paid to strict legal succession to the English crown in those early days.

Whilst this unnatural war was thus raging, Margaret of Anjou, the Queen of our Henry VI., wishing to enlist the sympathies of the men of the North on behalf of her child, she, in the summer of 1459, carried the young Prince of Wales, her son, then only six years of age, in progress through the North. Whilst she was thus engaged, the Earl of Salisbury having placed himself at the head of 5,000 men, raised in the neighbourhood of his castle at Middleham,* marched thence to fight under the Standard of the white Rose, and against his King. The result was the battle of Bloreheath, which was fought on the 23rd of September, 1459, and was won by the Lancastrians, when the Earls of Warwick, March (afterwards King Edward IV.), and Salisbury, with many other noble adherents to the house of York, were obliged to consult their safety by flying to Calais. The cause of the house of Lancaster having thus prevailed, a few days afterwards, viz., on the 9th of October, 1459, Sir Thomas le Scrope, the then Lord of Mashamshire, received the honour of a summons to Parliament as the fifth Lord Scrope of Masham, and on the 19th of December following, he was further rewarded with the grant of an annuity of twenty marks, for his services against the house of York—a sufficient proof of his devotion and loyalty to his King. He did not, however, live long enough to see the termination of the war, by the final overthrow of the house of York, on Bosworth field, on the 22nd of August, 1485. His son and successor, Sir Thomas Scrope, however, following the example of his sire, still adhered to the cause of the red Rose, and served his King and country in several important missions. His adherence to the red Rose, it appears, did not, it seems, prevent his having the honour of being present on the 6th July, 1483, at the coronation of Richard III. and his Queen Anne (the daughter of the great Earl of Warwick), and of being appointed

* Here we have the men of Mashamshire in the very midst of the horrors of war.

cup-bearer on the occasion (see Bentley's *Excerpta Historica*, page 384); having previously to this, viz., on 22nd Edward IV., A. D. 1482, received a summons to Parliament, as sixth Baron Scrope of Masham.

On the 17th of April, 1486, soon after the accession of Henry VII. to the throne, whilst he was at Pontefract Castle, and in the course of a progress which he was making in the northern parts, for the purpose of attaching the nobility and gentry of the north to his interests, he received intelligence that Lord Lovel, formerly chamberlain to Richard III., had raised a force of some 3000 or 4000 men in the neighbourhood of Ripon and Middleham,* and that he had thrown himself and a body of insurgents between Middleham and York, with the intention of surprising him at his intended entry into York. The King, on hearing this intelligence, collected together, as well as he could, a small force, in order to meet the insurgents, which he placed under the command of the Duke of Bedford, with directions not to approach the enemy, but to try first every proper expedient in order to get them to disperse peaceably. Accordingly the Duke published a general offer of pardon to all such as should return to their duty. This had the desired effect, and the rebel army immediately dispersed. Lord Lovel, after lurking some time in Lancashire, made his escape into Flanders, whilst a few of his followers were, by way of example, executed by the Earl of Northumberland. How far, or to what extent, the Lord, or the people, of Mashamshire were implicated in this rising, I have not been able to make out.



* Here again we have our Mashamshire men involved in the turmoils of war.

Another occurrence of a still more extraordinary character took place at Masham, immediately after this event. I refer to the presence there of the Pretender, Lambert Symnel (under the assumed title of Edward VI.), together with Lords Lincoln and Lovel, and a considerable army, with the avowed object of disputing the King's title to the crown, and of claiming it for the Pretender, who was represented to be the youthful Edward Plantagenet Earl of Warwick, and son of the Earl of Clarence, who had escaped from the Tower of London.

This Earl of Warwick was indisputably the next heir of the house of York, after the Princess Elizabeth, and was at one time treated by his Uncle Richard III. as heir apparent to the crown, but was afterwards confined by him as a prisoner in Sheriff-Hutton castle, for fear of any claim being set up on his behalf to the crown. When Henry VII. came to the throne, he having equal cause to fear danger from the same cause, had the Earl of Warwick removed from Sheriff-Hutton castle to the Tower of London. A report having got into circulation, and generally believed, that the youthful Earl of Warwick had made his escape from the Tower, it occurred to a wicked young priest of Oxford, of the name of Richard Simon, to attempt to personate the Earl of Warwick, and accordingly procured for the purpose a boy of about the same age as Warwick. This boy was Lambert Symnel, the son of a baker at Oxford, who is described as being a youth of handsome exterior, good address, and endowments of mind above his years. The priest forgetful of his own holy calling, at once proceeded to teach the lad the art of lying and dissimulation, and so well did he succeed in it that he very soon got him so well initiated into the part which he had to perform, that the boy was soon able to relate, with apparent accuracy, his supposed adventures at Sheriff-Hutton, and in the Tower, and his escape. So well instructed did he appear, it was remarked that he was better

informed of circumstances relating to the royal family, particularly in the adventures of the Earl of Warwick, than he could be supposed to have learned from one in Simon's condition. It was therefore thought that some persons of higher rank, partisans of the house of York, had had some hand in the instruction of him.

In the month of November, 1486, the priest landed in Dublin with the lad, when he presented him to the Earl of Kildare, the Lord-Deputy, and the Chief of the Yorkists in Ireland, under the name of the Earl of Warwick, and implored the protection of that nobleman on behalf of that young and innocent prince, who by escaping from the Tower had avoided a fate similar to that of his unfortunate cousins, the sons of Edward IV. It was no doubt good policy in the priest in choosing Ireland as the place where the claims of the Pretender were to be first introduced to notice, as that island was known to be zealously attached to the house of York, and to bear an affectionate regard to the memory of Clarence, the Earl of Warwick's father, who had been their Lieutenant, and being a people of lively imagination, and warm feelings, gave a ready and a willing ear to the priest's story, and accordingly a generous sympathy spread from heart to heart for the young hero of it, and the whole people of Dublin, with one consent tendered their allegiance to the boy as the true Plantagenet.

The Earl of Lincoln, of whom I have lately spoken, was one of the first to espouse openly the cause of the impostor. He made straightway to Flanders, to concert with his aunt, Margaret of York, and Duchess of Burgundy, the means of dethroning Henry VII., and to solicit her support to the undertaking. The Duchess, who hated Henry with an implacable hatred, immediately agreed to furnish the Earl with two thousand Burgundian soldiers. The Priest and the boy were again joined by the Earl of Lincoln, and his Burgundian soldiers, as well as by Lord Lovel and others. In the month of

May 1487, the impostor was proclaimed in Dublin by the style of Edward VI., King of England and France and Lord of Ireland, and was crowned in the Cathedral Church of Dublin, in the most solemn fashion, the Bishop of Meath performing the ceremony, and there being no royal crown at hand, they took a golden diadem from a statute of the Virgin Mary, which answered the purpose as well as the best. The whole island followed the example of the capital, and not a sword was anywhere drawn on behalf of the King, Henry VII.

All having thus gone on well in Ireland for the impostor, the rebel army now resolved on striking the blow, by making an attempt on England: they embarked accordingly for England, and landed at Foudrey in Lancashire. The army on its landing consisted of about eight thousand German and Irish troops, but was afterwards increased at Swatmore, near Ulverstone, by the accession there of the tenantry of Sir Thomas Broughton. The Earl of Lincoln, who was their commander, expected that the inhabitants in the disaffected countries in the north would rise and join his standard, but in this he was mistaken. The rebel army having passed rapidly across Lancashire and Westmoreland, within four days after their landing in England, arrived here at Masham, where they took up their quarters. It is supposed, that they selected this route through Yorkshire, on account of its bringing them near to Bolton-Castle, the residence of Lord Scrope of Bolton, who was distinguished for his attachment to the house of York, and thence into the neighbourhood of Middleham. On arriving here, the lords Lincoln and Lovel, despatched to the Lord Mayor and Corporation of York, the following letter, in the name of the counterfeit King, commanding that lodgings, victuals, &c., should be provided for them in that city.

“BY THE KING—

To our Trusty and well-beloved the Mayor, his brethren and Comunaltie of our Citie of York.

Trusty and well-beloved we grete you wele, and forsomuch as we beene comen within this our realme, not oonly by Godde's grace, to attayne our righte of the same, but also for the relief and well of our said realme you and all othre our true subgiettes which hath bene gretely injured and oppressid in default of nowne ministracion of good rules and justice desire therefor, and in our right herty wise pray you that in this behalve ye woll shew unto us your good aidez and favourez. And where we and such power as we have broght with us, by meane of travalye of the see and upon the land, beene gretely weryed and laboured, it woll like you that we may have relief and ease of logeing and vitailles within our Citie ther, and soo to depart and truly pay for that as we shall take; and in your soo doing ye shall doo thing unto us of right acceptable pleaser, and for the same find us your good and souverain lord at all tymes hereafter, and of your disposcions herein to ascertain us by this bringer.

Yevene undre our signet at Masham the viij day of Juyn."

A copy of this letter, with the Resolutions of the Magistracy upon it, is entered in one of the Registers now in the municipal archives of the City of York. The following is a copy of the Resolution alluded to, as copied from the Register.

"The which Letter was immediately sent to the Earl of Northumberland for to see: and a copy of the same was sent to Sir Richard Tunstall, and another delivered to master Payne, to show it to the king's grace; and further what the Mayor, Aldermen, Sheriffs, and common Counsel of the City of York, assembled in the Counsel-Chamber within the Guildhall departed from the Counsel, and commanded and was agreed, that every Warden should be in Harness and raise his ward, and keep due watch that no person should have entry into the said City, but such as be true Liege-men unto our Sovereign Lord the King Henry VII. And the said Mayor incontinently, by the advice of his brethren Aldermen, Sheriffs, and Common Counsel aforesaid, sent a Message unto the said Lords of Lincoln and Lovel, three of the Chamberlains, giving them in commandment to shew unto the said Lords, that my Lord the Mayor, my masters his brethren Aldermen, Sheriffs, Common Counsel, with the whole commonality of the City of York, be finally determined, that he, whom the said Lords called their King, they, nor none of their Retenue or Company intending to approach this city, should have any entry into the same, but to withstand them with their bodies and Goods, if they would attayne so to do."

It will be seen by the above very verbose minute, that the Mayor refused to comply with the commands contained in the above Letter, and that the City Chamberlains were dispatched to convey the refusal to Lords

Lincoln and Lovel. The rebel leaders, it appears had left Masham, and had reached Boroughbridge on their way to York, when this hostile answer was delivered to them. On receiving it they changed their course, and proceeded direct for London. Within a week afterwards the rebels, who had then advanced as far as Stoke, near Newark, were intercepted by the Earl of Oxford, (who led the van of the King's army,) and brought to battle on Saturday, the 16th June. The battle was fierce and obstinate for about three hours, during which time the result was doubtful, but at length, the rebels were entirely routed, with the loss of about half their number. His majesty Edward VI. (now plain Lambert Symnel) and the Priest, were taken prisoners, the Earl of Lincoln, the Lords Thomas, and Maurice, Fitzgerald, and Sir Thomas Broughton, died fighting. The Lord Lovel was seen to escape from the field, but was never more seen, and it was believed that he was drowned in attempting to swim his horse across the Trent. Several of the principal insurgents were afterwards hanged upon a gibbet at York. The Priest was made to confess the imposture, and then thrown into prison, where he perished, but the pretended Edward VI. obtained his pardon, was made a scullion in the royal kitchen, and afterwards, as a reward for his good conduct, raised to the office of falconer.

But to return to the minutes of the proceedings at York, where they all seem to have been in a great state of alarm and excitement. The minutes proceed thus:—

“On Tuesday, after Trinity Sunday, Lords Scrope of Bolton and Upsale, came on horseback to Bootham Bar, and there cried king Edward, and made an assault at the Gates, but they were put to flight. The Mayor, &c., then proclaimed King Henry VII.

“And upon Sondag at iii of the klok in the morying, tidinges came to my Lord Maier, from the feld, howe Almighty God had sent the King Victorie of his ennymies and rebelles, and thereupon my Lord Maier, taking with hymne his brethre Aldremen with the 'ol Counsaill of this Citie—upon certaine knowledge of the victory aforesaid, shewed by the mouthe of a servant of Master Recordour comying streight from the said feld—came to the

Cathedral Church of York, and there caused all the ministres of the same to make lovinges to our Saveour for the tryumphe and victory 'foresaid, singing solemplye in the high qwere of the said Church, the Psalme of Te deum laudamus with othre suffrages." *

From the mention above of "Lords Scrope and Upsale" it will be seen, that, although Thomas Lord Scrope, of Masham and Upsall, did not actually join the rebel army, his sympathies were with them. What could have induced him to have entered into so mad a project cannot now be divined.



THE ARMOURER.

In the spring of the year 1489, great discontent appears to have arisen in this district, in consequence of a subsidy which had been granted by Parliament to King Henry VII. for carrying on the war in Bretagne. The people in the neighbourhood refused to pay it, and assembling in a tumultuous manner around the residence of Henry Percy the fourth Earl of Northumberland, at Topcliffe, and being further inflamed by some indiscreet expressions which then dropt from the Earl, who as Lord Lieutenant of Yorkshire, represented the King, they at once fell upon him and murdered him. This sad occurrence took place on the 28th April, 1489, and it is the more to be regretted, on account of his being a

* See "Original Documents relating to Lambert Symnel's Rebellion in the second year of the reign of King Henry the VII., selected from the Municipal Archives of the City of York, by Robert Davies, Esq., F.S.A.

most exemplary nobleman, and one who had previously enjoyed a high degree of popular favour.

In the month of July 1503, on the Princess Margaret, the eldest daughter of Henry VII., visiting Yorkshire, on her way to Scotland, to consummate her marriage with James IV., King of Scotland, we find the nobility and gentry of the County, vying with each other in the endeavour to do honour to her on the interesting occasion. Amongst the number who thus honoured her, was Henry the seventh Baron Scrope, of Masham and Upsal, "in company of many gentrymen well appointed, and ther folke in suchwise."

The following amusing stanzas upon the subject of this intended marriage occur in Evans's Ballads:—

"O fair, fairest of every fair,
Princess most pleasant and preclare
The lustiest alive that be,
Welcome to Scotland to be Queen.

Young tender plant of pulchritud,
Descended of imperial blood,
Fresh fragrant flower of fairhood sheen,
Welcome to Scotland to be Queen.

Sweet lusty imp of beauty clear,
Most mighty King's daughter dear,
Born of a Princess most serene,
Welcome of Scotland to be Queen.

Welcome the rose both red and white,
Welcome the flower of our delight,
Our spirit rejoicing from the spleen,
Welcome of Scotland to be Queen."

Little did Henry Lord Scrope dream, when he was thus acting the courtier, and doing honour to this beautiful and interesting Princess, on her approaching nuptials, that, in the course of a very few years, he himself would assist in making her a widow, and her future child an orphan. Yet so it happened. At the battle of Flodden Field, in which her husband was slain, Henry Lord Scrope fought at the head of the men of Mashamshire, in the vanguard of the English army. This battle,

so disastrous to Scotland, and the Scotch, was fought on the 9th September, 1513, at Flodden Field in Scotland,

“Where shivered was fair Scotland’s spear,
And broken was her shield.”

In it fell, not only James IV., King of Scotland (the brother-in-law to our Sovereign Henry VIII.,) but also all his nobility, together with 8000 or 9000 men. Of this battle, Sir Walter Scott says, “Scarce a Scottish family of eminence but has an ancestor killed at Flodden Field; and there is no province in Scotland, even at this day, where the battle is mentioned without a sensation of terror and sorrow.”

From an old ballad on this battle, preserved in Weber’s edition, it will be seen, that the Lord of Mashamshire, under the designation of “Lord Scroop, of Upsall,” and the men of Mashamshire, are made to take a prominent part in the battle of Flodden Field.

THE MARSHALLING OF THE RICHMONDSHIRE-MEN AT THE BATTLE OF
FLODDEN-FIELD.

———— Lord Lomly and Latimer,
Were equal match’t with all their power;
With whom was next their neighbours near,
Lord Coniers stout and stiff in stoure,
With many a gentleman and Squire,
From Rippon, Ripley, and Ryedale;
With them marcht forth *all Massamshire*,
With Noisterfield and Netherdale:
With till-men taught in harness store,
Which turned the furrows of Mitton-field
With bill-men bold from Blackamore,
Most warlike wights these lords did wield.
Next whom was placed with all his power,
Lord Scroop of Upsall, th’aged Knight.

* * * * *

All these in foremost battle bold,
These valiant wights in vanguard were.

* * * * *

John Clarvice then was ’nexed near,
With Stapyhton of stomach stern;

Next whom Fitzwilliam forth did fare,
 Who martial feats was not to learn.
 These Captains keen, with all their might,
 In right-hand wing did warlike wend.

* * * * *

The Earl himself can undertake
 Of the rearward the regiment;
 Whom barons bold did bravely back,
 And Southren soldiers, seemly bent,
 Next whom in place was 'nexed near,
 Lord Scroop of Bolton, stern and stout,
 On horseback who had not his peer;
 No Englishman, Scots more did doubt.
 With him did wend all Wensadale,
 From Morton unto Moisdale moor;
 All they that dwelt by the banks of Swale,
 With him were bent in harness stour.
 From Weresdale warlike wights did wend,
 From Bishopsdale went bowmen bold;
 From Coverdale to Cotter-end,
 And all to Kidton causeway cold.
 From Mollerstang and Middleham,
 And all from Mask and Midleconby;
 And all that climb the mountain cam,
 Whose crown from frost is seldom free.
 With lusty lads, and large of length,
 Which dwelt at Seimerwater side;
 All Richmondshire, its total strength
 The lusty Scroop did lead and guide.

Henry Lord Scrope of Masham, did not long survive this his victory over the Scots, at Flodden-Field. He was succeeded in his title and estates, by his two brothers Ralph and Geoffrey, who held them in succession. They too lived but a very short time to enjoy them, the last of them having died in the year 1517, without issue. The male branch of the house of Scrope, of Masham, having thus become extinct, the dignity fell into abeyance between the issue of Geoffrey Scrope's three sisters, Marjery, the wife of Sir Christopher Danby,*

* From a well authenticated Pedigree which has been placed in my hands, it would seem that Charles J. H. Mundy, Esq., of Ormsby, in Lincolnshire, is lineally descended from, and is now the Heir-at-law, and representative of Margery the wife of Sir Christopher Danby.

Elizabeth, the wife of Sir Ralph Fitz Randolph, of Spennithorne, and Alice, the wife of Sir James Strangways, of Harlsey, amongst whom the real estates also descended. On a Partition of the Estates soon afterwards taking place amongst the three co-heiresses named, Mashamshire fell to the share of Marjery Danby, which introduces us to a new race of Lords of Mashamshire.

I cannot better conclude my remarks as to the family of the Scropes of Masham, (of whom I very reluctantly now take leave,) than by quoting the following from Burke's General Armory. In speaking of the Barons Scrope of Bolton, and the Barons Scrope of Masham and Upsal, he says: "The great house of Scrope traced in an unbroken male line from the Conquest, if not from the time of Edward the Confessor, produced in a period of three hundred years from the reign of Edward II. to that of Charles I., two Earls and twenty Barons, one Chancellor, four Treasurers, and two Chief Justices, one Archbishop, and two Bishops, five Knights of the Garter, and numerous Bannerets. The last Lord Scrope of Bolton, Emanuel Earl of Sunderland, died without legitimate issue in 1627, when the higher title became extinct, and the Barony of Scrope devolved on Mary, wife of William Bowes, Esq., of Streatlam, and only daughter of Henry, ninth Lord. It is now vested in the family of Jones, of Caton, in the County of Lancaster. The Barony of *Scrope of Masham*, is in abeyance among the descendants of the sisters and co-heiresses of Gefferey, the ninth Lord.—*Az.*, a bend, *Or*. In 1385, Sir Richard le Scrope, first Baron Scrope of Bolton, challenged the right of Sir Robert Grosvenor to bear the Coat *Az.*, a bend, *Or*; and the memorable suit, instituted for the decision of this heraldic controversy, lasted upwards of four years, and was at length awarded in favour of Scrope, who established, by the evidence of a vast number of deponents, consisting of the most distinguished men of the day, from John of Gaunt, the King's Uncle, to Chaucer the Poet, who was then Squire at arms, that

his ancestors had continually borne the contested arms from the Conquest.—Crest,—Issuing out of a ducal Coronet, a Crab. The sons of Sir Richard le Scrope, first Lord Scrope of Bolton, assumed for Crest—Out of a ducal coronet, a plume of Ostrich feathers.”

Sir Christopher Danby, the husband of Marjery Scrope, did not long survive his unexpected good fortune, having died in the following year, leaving his son Christopher, (afterwards Sir Christopher Danby) a youth of fifteen years of age, as his successor.

This last mentioned Sir Christopher Danby, young as he was when his father died, was already a husband, having, at the early age of twelve years taken to himself for wife, Elizabeth, the third daughter of his near neighbour, Richard Neville, second Lord Latimer, who then resided at Snape-Castle. The marriage contract for this young pair is still in existence, and is dated the 6 Henry VIII., A.D. 1514, from which it appears, that the lady's fortune was six hundred marks, or 400*l.* of our money. This lady was sister to John Neville, afterwards third Lord Latimer, and the husband of Catharine Parr, who ultimately became the sixth and last wife of King Henry VIII. She was also sister to Susan, the wife of Richard Norton, of Norton-Conyers, the real leader of the Rebellion of 1569, known in history as “The Rising of the North,” as well as otherwise connected with some others of those who afterwards participated in that sad and disastrous affair.

Sir Christopher Danby being a minor at his father's death, was in wardship under King Henry VIII. until he was twenty-one years of age.

He came into the full possession of his estates at a very eventful period in the history of this country, and having lived to a good old age, he witnessed the events which took place not only during the last twenty-eight years of Henry VIII.'s reign, but the whole of his son Edward VI.'s, and his daughter Queen Mary's reigns, and the first fourteen years of his daughter Queen Elizabeth's reign.

During that period, he was the melancholy witness to the final overthrow of that religion which had for generations been cherished by his ancestors, and to which he himself was warmly and zealously attached,—the Churches in which he and his forefathers had worshipped, taken possession of by men, whom he in his conscience believed to be heretics, and enemies to religion,—the very altars and adornments which had been reared by the pious zeal of her worshippers, to the honour and glory of their Maker, ruthlessly thrown down, and desecrated, and that too, in the name of religion,—her revenues,* the pious gifts of his forefathers, which had been given by them out of their own substance, and solemnly set apart, and consecrated by them, to be used in all time to come, solely for the advancement of their Redeemer's kingdom here on earth, sacrilegiously seized upon and appropriated by impious hands, to the most unholy purposes,—the monasteries,† the abodes of peace-

* “Men gave their lands as they declare in the Deed of Gift ‘for the glory of God,’ and they charged what they so gave with the maintenance of masses: if reformation had been desired, this condition would have been repealed; but this would not have gorged the fatal covetousness, which, by confiscating the endowments, ran headlong into the guilt of sacrilege. But again, was all the confiscated property of the nature above described? Our own experience can answer. Were the tithes (now unappropriated) of much more than half the parishes of England, given to superstitious uses? Were the glebe-lands, and glebe-houses, of our poor vicarages (now in the hands of laymen), superstitious and unholy things? This part of the spoil was taken strictly from the Clergy.”—*Wiberforce*.

† The Rev. I. J. Blunt (Fellow of St. John's College, Cambridge,) in his “Sketch of the Reformation in England,” thus speaks of the monasteries; “As we know not, says the proverb, what the well is worth till it is dry, so was it found after the dissolution, that with all their faults, the monasteries had been the refuge for the destitute, who were now driven to frightful extremities throughout the country, the effect of the suppression being with respect to them the same as would now follow from the sudden abolition of the poor laws: that they had been the alms houses, where the aged dependants of more opulent families, the decrepid servant, the decayed artificer, retired as to a home nor uncomfortable nor humiliating: that they had been the country infirmaries and dispensaries, a knowledge of medicine and of the virtues of herbs being a department of monkish learning (as passages in the

ful and holy monks, (notwithstanding all that Henry VIII.'s hireling Commissioners,* and lying calumniators, have said to the contrary) and which had been for ages past, the sole nurseries of religion and learning, dissolved, and their inmates (if not hanged) scattered, and sent out to the wide world to seek a refuge, and an asylum, where they could find one. The revenues on which those good men subsisted, and which they faithfully dispensed in charity for the support of the poor, the halt, and the blind of the land, seized upon, and appropriated, by that most avaricious and licentious of



A CISTERCIAN MONK.

old dramatic writers sometimes indicate,) and a hospital, and perhaps, a laboratory, being component parts of a monkish establishment: that they had been foundling hospitals, relieving the state of many orphan and outcast children, and ministering to their necessities, God's ravens in the wilderness (neither so black as they had been represented), bread and flesh in the morning, and bread and flesh in the evening: that they had been inns for the wayfaring man, who heard from afar the sound of the vesper-bell at once inviting him to repose and devotion, and who might sing his matins with the morning star, and go on his way rejoicing."

* Mr. Thorn in his "Rambles by Rivers," says, "these Commissioners were the greatest scoundrels in this Country, excepting their master." And so they were.

all licentious kings, King Henry VIII. and his obsequious nobles,—and still more,—good and religious people, not only mulcted in pecuniary penalties and stripped of their property and possessions, and otherwise persecuted for conscience-sake, but dragged to the stake, and burnt as heretics, because, forsooth, they could not and would not, in their consciences, believe and declare that that base libertine, King Henry VIII., and his not less infamous daughter Queen Elizabeth, were “The only supreme head on earth of the Church,” as they impiously assumed to be.

The suppression of the monasteries and religious houses and institutions, and the appropriation of the property of the Church by the King,* and the turning out of so many monks, nuns, sick, and aged people to starve, or beg their bread, so exasperated the people,

* Mr. Blunt in his work before cited, says, “The convulsion felt throughout the country on this memorable occasion, was probably more violent than any which it has experienced, either before or since. The joints of Society were thoroughly loosed: a vast proportion of the population was turned adrift upon the wide world, their employment gone, their relief gone too. Cromwell, who was the King’s political adviser throughout this great measure, felt the state rocking under him, and suggested the sale of the Abbey-lands and tithes to the nobles and gentry, that by this means the leading persons in every County might be pledged to support the new order of things, and be tied by the tooth. Thus popish lands, as it was said, made protestant landlords, and thus the *lay impropiator*, a character hitherto almost, or altogether unknown, took his beginning. How far the country was a gainer by the exchange of ecclesiastical for other landlords may be questioned. The monks gave a miserable stipend to their Vicar, ‘but now,’ says one Henry Brinklow, in a curious address to the members of both houses shortly after the dissolution, ‘there is no Vicar at all, but the farmer is Vicar and parson altogether: and only an old castaway monk or friar, which can scarcely say his matins, is hired for twenty or thirty shillings, [a year] meat and drink; yea in some places, for meat and drink alone, without any wages.’ ‘I know,’ he continues, ‘and not I alone, but twenty thousand men know, more than five hundred vicarages and parsonages thus well and gospelly served after the new gospel of England,’ and so crying was this evil, for even great parishes and market towns were utterly destitute of the word of God, that there was nothing for it but to ordain the lowest mechanics to these worthless benefices.”

especially of this district, who not only then, but for generations afterwards, clung with the greatest tenacity to "the old religion," that large multitudes rose in open rebellion and demanded the redress of these grievances, and the re-establishment of the Catholic religion, and the Monastic Institutions. In the work called "Richmondshire Wills," by the Rev. James Raine, M.A., a worthy and talented Clergyman of the Church of England, and published by the Surtees Society, it is stated "In no part of England was there more attachment to the old religion than in this district," and "Henry Jenkins after the lapse of one hundred years, could well remember the grief and dismay which was everywhere exhibited at the dissolution of the religious houses."

The first most notable of these risings was the ill-fated insurrection, "The Pilgrimage of Grace," which took place in October 1536. It was not confined to the common people only, the nobility and gentry, the former patrons of the dissolved houses, having also joined the standard of revolt. The Archbishop of York, the Lords Neville, D'Arcy, Lumley, and Latimer,* Sir Robert Constable, Sir John Bulmer, Sir Stephen Hamilton, Sir Thomas Percy (brother of the Earl of Northumberland) and many other Knights and gentlemen of the north, were amongst the insurgents, who amounted in number to upwards of 40,000 men. The enterprise, however, resulted in complete failure—Lord D'Arcy, Robert Aske (the nominal leader of the insurrection) and many others, were taken and executed. The Abbots of Fountains, Jervaux, and Rivaulx, the Prior of Bridlington, and others, were executed at Tyburn. Sir Robert Constable was hanged in chains at Hull; Aske was suspended from

* This was John Neville, third Lord Latimer of Snape-Castle, and brother to Sir Christopher Danby's wife. He was one of those deputed by the rebels to treat with the Duke of Norfolk, then advancing at the head of an army against them. Notwithstanding that Lord Neville had thus waged war against Henry VIII. and his authority, that Monarch, it appears, did not think his widow (Catherine Parr) the less eligible for his sixth wife.

a tower at York; D'Arcy* was beheaded on Tower-hill in London; and seventy-four of the officers were hung on the walls of Carlisle. Many of those who suffered, either in person or estate, in consequence of this ill-starred rebellion, were connexions or friends of the Danbys; and the hard fate which had thus befallen their friends, did not tend to make them a whit the more in love with either the authors,† or the objects,‡ of the so-called Reformation.

Unsuccessful, and disastrous, as this insurrection proved, such was the discontent of the people that it did not prevent other similar attempts being made, but on a smaller scale, with the same object; but which proved equally unavailing.

In the year 1569, however, the disaffection of the people as to Queen Elizabeth's conduct in matters of religion, had reached to such a pitch, that according to Sir Ralph Sadler's account, there were scarcely ten gentle-

* Lord D'Arcy was the son of Sir William D'Arcy, by Euphemia the daughter of Sir Thomas Langton of Farnley, and was thus related to the Danbys. He was also a grandson of Eleanor, the daughter of John Lord Scrope of Masham; and Lord Lumley was husband to Joane, the daughter of Henry Lord Scrope of Bolton.

† It is well known that the English Reformation was brought about mainly by King Henry VIII. and Archbishop Cranmer. Of the character of the former, little need be added to the observations I have already made respecting him, except, that it was said of him, and that truly, when he died, that "throughout his long reign he neither spared man in his anger, nor woman in his lust." And as to Cranmer, I will content myself with merely giving the following short extract from Lord Macauley's History of England, in which he describes Cranmer as "Saintly in his professions, unscrupulous in his dealings, zealous for nothing, bold in speculation, a coward and a time-server in action, a placable enemy and a lukewarm friend"—a character not by any means to be envied, but better than he deserved.

‡ The immediate object of the Reformation was to enable King Henry VIII. to get rid of his lawful wife, Catharine of Aragon—to whom he had been married some twenty years, during the course of which she had the misfortune, in common with the rest of human kind, of growing *old and plain*—and to marry Anne Boleyn, who had the advantage of being young, and of possessing superior charms for the voluptuous monarch.

men of note who approved of her proceedings, and the people generally were ready to rise up in open rebellion against her authority, at any moment, and on any pretext. This feeling found vent in the Rebellion of that year, which is known in history by the name of "The Rising of the North." The Earls of Northumberland and Westmoreland were ostensibly at the head of it, but the real leaders and instigators, were Richard Norton* of Norton Conyers, and Thomas Markenfield of Markenfield, near Ripon. The first meetings of the chief insur-



MARKENFIELD HALL.

gents were held at the seat of the Earl of Northumberland at Topcliffe, at which place the plan of the insurrection was laid, and the arrangements were made for the commencement of operations. The Queen, however, having become acquainted with their movements, summoned the two Earls to appear at once at court to answer for their conduct. This precipitated the Rising before all was fully prepared for it. In the middle of one November evening, (being the same day on which he received the Queen's summons before alluded to), the Earl of Northumberland was aroused from his bed at Topcliffe, by one of his servants of the name of Beckwith, who told him that his enemies were then about the park,

* It will be seen hereafter, on referring to the Pedigree of the Nortons, that Robert Norton, a grandson of this person, resided at Swinton near Masham.

waiting to take him, and that he had better arise and make his escape. This was a ruse which was played upon the Earl by his own confederates, who had recourse to this expedient in consequence of their suspecting that he was wavering. The Earl accordingly rose from his bed, and mounting his horse, rode off in great haste to Brancepeth-Castle, the seat of the Earl of Westmoreland, whom he found surrounded by a number of friends and retainers, all ready and eager to take up arms at once, for what they considered a holy cause. They thereupon determined to begin the insurrection without more delay, and they no sooner made such their intentions known, than great multitudes of the common people flocked to their standard.

“Now was the North in arms:—they shine

In warlike trim from Tweed to Tyne,

At Percy's voice; and Neville sees

His followers gath'ring in from Tees,

From Wear, and all the little rills

Conceal'd among the forked hills.

Seven hundred Knights, retainers all

Of Neville, at their master's call

Had sate together in Raby Hall!

Such strength that Earldom held of yore,

Nor wanted at this time rich store

Of well-appointed Chivalry.

———— Not loth the sleepy lance to wield,

And greet the old paternal shield,

They heard the summons: and futhermore

Came foot and horsemen of each degree

Unbound by pledge of fealty;

Appear'd with free and open hate

Of novelties in church and state,

Knight, Burgher, Yeoman, and Esquire,

And th' holy Priest, in Priest's attire.”

Wordsworth.

Their first demonstration was made at Durham; they next marched southward to Staindrop, Darlington, and Richmond, at each of which places they restored the ancient services: and having arrived at Ripon on the 18th November, they there received a large accession to

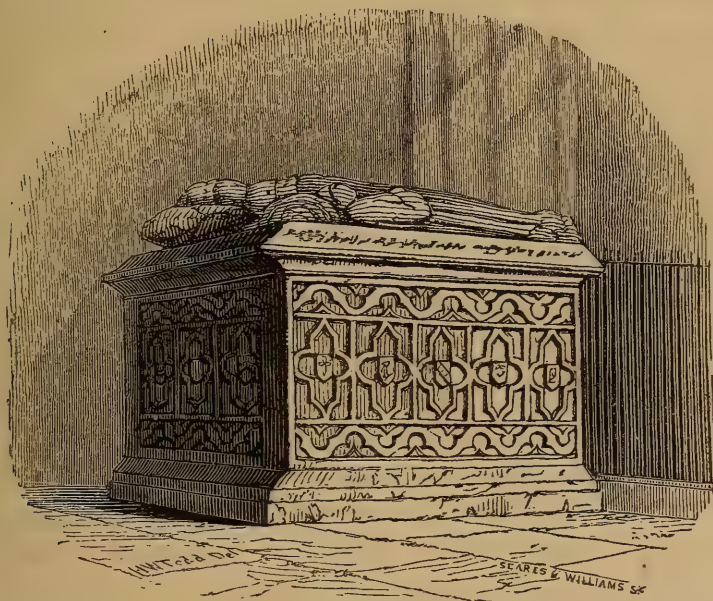
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their number from this district. They had a muster at the market-cross at Ripon, when the two Earls made a proclamation, in which they declared that they intended to attempt nothing against the person of the Queen, to whom they avowed unshaken allegiance, but that their sole aim was to re-establish the religion of their ancestors, to remove evil Counsellors from about the Queen's person, and to restore the Duke of Norfolk (who was then confined as a prisoner in the Tower, to prevent his marrying Mary Queen of Scots then confined in Bolton Castle), and other faithful peers, to their liberty and the Queen's favour. After putting Sir William Ingilby to flight, who opposed them, they marched to Knaresbrough, and from thence to Wetherby, and at length to Clifford's moor, where they held a Council of war. The insurgents having by this time found that their army numbered but 1600 horse and 4000 foot, and that they were not likely to receive some support which they had been led to expect, determined upon a retreat northward. Having laid siege to Sir George Bowes in Barnard Castle, that fortress, after eleven days resistance, was yielded to them, as was also the sea-port town of Hartlepool. In the meantime the Royal army, which far exceeded them in numbers, was advancing upon them from York. The Insurgents lost heart, and their infantry presently disbanded and fled in all directions, many of them being killed or captured in their precipitate flight. The Earl and Countess of Westmoreland, Egremont Ratcliffe, Richard Norton, Sir Thomas Markenfield,* and others,

* SIR THOMAS MARKENFIELD'S estate at Markenfield Hall, near Ripon, became forfeited by the part he thus took in the Rebellion, and was subsequently granted to the Lord Chancellor Egerton, one of whose descendants, the celebrated Duke of Bridgewater, sold it to Sir Fletcher Norton, ancestor to Lord Grantley, the present owner.

The Markenfield family appear to have been long settled at Markenfield Hall, and their burial-place was in Ripon Minster, where there is a fine altar tomb of Sir Thomas Markenfield, a warrior in the time of Edward III., and his wife, the heiress of the Miniots of Carlton Miniot, near Thirsk; also another altar tomb on which are placed the effigies of Sir Thomas Marken-

managed to escape into the Spanish Netherlands, where they suffered severely from poverty and great hardships, and dragged out a miserable existence to the end of



TOMB OF SIR THO. MARKENFIELD (1497), GREAT-GRANDFATHER OF THE REBEL.

their days. The Earl of Northumberland fared still worse, for having been betrayed, and given up to his enemies by Earl Moreton, Viceroy of Scotland, he was beheaded at York, on the 22nd August, 1572.* The

field, and Elenor his wife, daughter of Sir John Conyers of Hornby Castle.

SIR NINIAN MARKENFIELD (one of the family) was at the battle of Flodden-field, in the year 1513, as appears by the ballad quoted *ante* p. 89:

“Next went Sir Ninian Markenville,
In armour-coat of cunning work,
The next went Sir John Normanville,
With him the citizens of York.”

* “The history of the Percy family, is a scene of war and blood. Six of the Earls died violent deaths, as did many of the collateral branches. Henry Percy, first Earl, was slain at the battle of Bramham-moor, 1408; Henry, second Earl, was killed at the battle of St. Albans, 1455; Henry, third Earl, was slain at the battle of Towton, 1461; Henry, fourth Earl, was murdered by the mob at Topcliffe, 1489; Thomas, seventh Earl, was beheaded at York, 1572; Henry, ninth Earl, shot himself in the Tower, 1585; Thomas Percy, Earl of Worcester, brother to the first Earl, was beheaded at Shrewsbury,

greatest severity was exercised against all such as had taken part in this enterprise, Queen Elizabeth having sworn a solemn oath, that she would give them such a breakfast as they had never had in the north before; and for once in her life she kept her word. The wealthier of the rebels were doomed to attainder and confiscation,



THE PERCY BADGE.

whilst all the severity of martial law was let loose on the miserable offenders who had nothing but their lives to lose. Sixty-six persons were hanged at Durham, chiefly petty constables, and others, who had acted under the orders of the insurgents, but amongst them was a Mr. Plomtre, a noted priest. Executions equally sanguinary, took place at

Richmond and other places, where the rebellion had been most general. Sir George Bowes having, with his executioner, traversed the whole country between Newcastle and Wetherby (a district of sixty miles in length by forty in breadth), like a

“ — Royal Mastiff panting at their heels,
With all the savage thirst a tiger feels :”

dealing out death wherever he went with no sparing

1403; Henry, Lord Percy, eldest son of the first Earl, was slain at the battle of Shrewsbury, 1403; Sir Ralph Percy, third son of the first Earl, was slain by the Saracens in the Holy Land, 1400; Sir Thomas Percy, fifth son of the second Earl, was killed at the battle of Northampton, 1460; Sir Ralph Percy, seventh son of the second Earl, lost his life at the battle of Haggelamore, 1463; and Sir Thomas Percy, second son of the fifth Earl, was executed at Tyburn for a conspiracy. It is very remarkable that John Neville, created Earl of Northumberland by Edward IV., 1464, after the attainder of the third Earl, lost his life at the battle of Barnet, 1472, and that John Dudley, created Duke of Northumberland by Edward VI., 1551, after the title became extinct by the death of Henry, the sixth Earl, without issue, and the attainder of Sir Thomas Percy, 29 Hen. VIII., was beheaded, 1553; as if some fatality attended the title.”—*Gill's Vallis Eboracensis*.

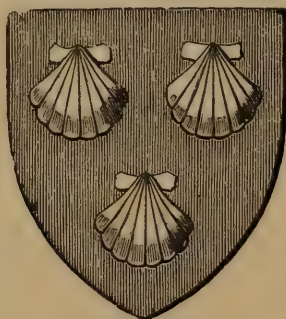
hand. It was his boast, that there was not a market town or village, in that district, in which an execution had not taken place of some of its inhabitants. The whole country was dotted in every direction with gibbets—not less than eight hundred persons in the whole having thus suffered by the hands of the executioner. Amongst the number were Simon Digby, Esq., of Aiskew; John Fulthorpe, Esq., of Iselbeck; Robert Pennyman, Esq., of Stokesley; and Thomas Bishop, jun., Esq., of Pocklington; who were beheaded at York.* The Editor of “The Richmondshire Wills,” before alluded to, in speaking of this Rebellion, says, that a number of the Richmondshire gentry were involved in it, and adds, that “death, banishment, and confiscation, were dealt out amongst the offenders with no sparing hand;” * * * and further that “The Council of North was established at York, and conformity with the religion of the State, was exacted in the most rigorous manner. Many therefore of the Richmondshire gentry who refused to renounce their faith were cast into prison, and not a few of them died in bonds. Yet notwithstanding all this the Richmondshire Cavaliers in the following century fought well for King Charles, and none were so prodigal of their estates, and their lives, as the Roman Catholic gentlemen.” The same author at page 207 of the work already quoted, adds, what was undoubtedly the fact, that “The family of Danby was more or less concerned in the Rising of the North.”

A reference to the Pedigree of the Danby family will shew that the Danbys were connected by blood, and by marriage, and otherwise, with the chief leaders of the Rebellion; and further that Sir Christopher Danby's

* Mr. Walbran in his Guide to Ripon, in speaking of this subject, says, “there were ordered to be executed here, [at Ripon] all the Rebel Constables of the West-Riding, except those of Wetherby, Boroughbridge, and Tadcaster: all the offending serving-men of the West-Riding: and lastly, within sight of their neighbours, and homes, and kindred—the misguided townsmen of Ripon.”

son-in-law, Sir John Neville of Liversedge, (who had married his daughter Dorothy) was so implicated in it, that he was convicted of high treason, and all his lands (which were extensive) became forfeited to the crown.

It does not seem that Sir Christopher Danby actually joined the rebel army in person; and, considering his advanced years at the date of the rebellion, and his death within two years afterwards, it is not probable that he would be able to do so. Besides that, it would not seem, that he was even in earlier life disposed for military adventures, or adapted for military service, for in a Commission of Array for the county of York, made in the 36th Hen. VIII., A.D. 1545, during the war with France and Scotland, he was not, like others, required to appear *in person* in the war, but was only required to find and send ninety footmen as his contribution to the force. These observations however would not apply to his sons, and more especially to his eldest son Sir Thomas Danby, who had married Lady Mary Neville, a daughter of Ralph the fourth Earl of Westmoreland, and aunt to Charles Neville the sixth Earl of Westmoreland, one of the chief leaders of the Rebellion.



ARMS OF JERVAUX.

Shortly after the dissolution of Jervaux Abbey, viz., in the 26th Hen. VIII., A.D. 1534, the King granted the site of the abbey, and the abbey lands, to Matthew Stewart, Earl of Lennox, a nobleman who had been banished from Scotland, his own country, for basely attempting to betray Dumbarton Castle. Henry VIII. gave

him shelter in England, and as a reward for his virtuous achievements, gave him not only several manors in Yorkshire, but also the hand of his neice, Lady Margaret Douglas, daughter of his sister Margaret, Queen Dowager of Scotland, by her second husband the Earl of Angus. This Earl of Lennox was father of the celebrated Lord Darnley, husband of Mary Queen of Scots. The Earl of Lennox it would seem very soon after thus coming into the possession of the land belonging to Jervaux Abbey, became a disagreeable and troublesome neighbour of Sir Christopher Danby, and laid claim to a portion of Sir Christopher's estate, as belonging to him as Patentee of the Crown of the Abbey and abbey lands of Jervaux. This gave rise to some proceedings being taken by him before "the Council of the North," as will appear by the following letter upon the subject addressed to the Earl of Shrewsbury, then Lord President of the North, by Sir Christopher Danby.

Letter from Christopher Danby to the Earl of Shrewsbury.

"My humble dewtie remembrede to your honerable Lordshipe plesith you to be advertised that I have recevide your lovyng and gentill Letter by the tenure whereof I do perceave your Lordshipe's pleasure is that ye wolde have my Lorde of Lennox and me to byde order of two of the Kynge's Ma'ties Counsell establishede in the North parties all suche contraversies dependynge betwixt us, with which order my Lorde I shall be contentede at your Lordeshipe's desire: and to selecte for me Mr. Robert Chaloner, and for my two friends I appoint my son-in-law Sir John Neville, and Christopher Nevill my brother-in-lawe, because they have beyne in use with the seide controversies, and where your Lordeshipe's request is, that ye wold have me to doo no displeasure to the seide Erle wherewithall any unconvenyence might arise, my Lord, that in noo wise I intende to do, saveinge only, to kepe my possession of my inheritannce whereof I am possesside alredy and alwaies hath beyn. My Lord, I trust that your Lordshipe will let me knowe my Lorde of Lennox's pleasure herein, what place and day he doth appoynte to mete at, so that it may be afore the Feaste of Saynt John Baptiste next for to come, and all suyts of both the parties to seace in the mean season; and thus Almighty John have your honorable Lordshipe in his blisside keynge.

Thorp Perrow, the
xx of Marche [1551.]

By yours to commande,
X'PER DANBY."

Indorsed.

“To The Right Honorable and my s'ngler good Lorde The Earl of Shrewsbury, Lord President of the King's Ma'ties most honorable Counsellis establishede in the Northe parties this be delyverede.”*

I am not aware how this dispute as to the boundaries between Masham and East Witton Parishes ended. I merely give the above letter as an historical fact, and to illustrate the manners of the times, and as a specimen of letter writing at the date mentioned in it. He was High Sheriff of Yorkshire in the year 1545.

It appears to have been the intention of King Henry VIII., before his death, to have raised Sir Christopher Danby to the Peerage, by creating him a Baron, with a pension to enable him the better to support the dignity; the King's death however prevented him carrying out such his intention. The Peerage and pension were afterwards offered to Sir Christopher but declined. Sir Christopher was doubtless indebted for this intended honour to the influence and interest of Catharine Parr, the King's sixth and last wife, who, previous to her marriage with the King, had been the wife and afterwards the widow of John Neville, third Lord Latimer, who was brother to his (Sir Christopher Danby's) wife, and as such, at one time, resided at Snape Castle, whilst he (Sir Christopher) was residing at Thorp Perrow.

During the time of Sir Christopher Danby, Masham was honoured with a visit from John Leland the famous antiquary, who has given an account of his visit in his Itinerary. He there speaks of “Masseham” as “a praty quik market town and a faire Chirch.” “At the ende of Masseham Townlet I passid over a fair Ryver called Bourne, it goeth into Ure thereby a little byneth the bridge. The Lordship of one of the Aldeborows lyith agayn the mouth of Bourn, wher it goeth into Ure. Thens to Gruelle Thorp 3 or 4 miles bi hilly and liny

* The Earl of Lennox was assassinated in the year 1571, by the Hamiltons, in revenge for his having, as Regent of Scotland, hanged, without a trial, the Archbishop of St. Andrews.

and some morisch ground. And thens by much like ground a 3 miles to Ripon. After that I passid from Thorp; half a mile I left hard on the lefte hand Kirkeby Malzart, wher Moulbray had ons a great Castelle." "Snape Lordshipe where now the Lord Latimer dwil-
lethe was Fitz Randolf." "About a mile benethe Ger-
valx Abbay is a great old Bridge of Stone on Ure, caulld
Kilgram Bridge. Then almost 4 miles to Maseham
Bridge of Tymbar a little bynethe Masseham, and VI
miles lower North Bridge at the hether end of Ripon;
it is of VII arches of Stone." "On the other syde of
Yore Ryver lyethe Aldeburg Village." "And a mile
farther by est lyethe Thorpe one of Master Danby's
Houses, howbeit he hath one that he more occupieth at
Farneley a 2 miles from Leeds." "Wiville dwellithe a
little above Masseham on the further Rype of Ure."

Sir Christopher Danby closed his eventful life in the year 1571, full of years, and in the midst of his numerous family of children. He was succeeded in his estates by his eldest son Sir Thomas Danby, who appears to have won his spurs and to have been knighted in his father's life-time, and to have taken upon himself the principal management of his father's Mashamshire estates.

This Sir Thomas Danby was in the 26th Hen. VIII., 1534, at the early age of four years, married to Lady Mary Neville, second daughter of Ralph, fourth Earl of Westmoreland, by Catharine Stafford, daughter of Edward Duke of Buckingham, (a most illustrious nobleman, who was unjustly beheaded on Tower-hill, on the 17th May, 1521), with whom he was to receive a fortune of 1050 marks, or 700*l.* of our money. This sum, although it looks small in our eyes, was in truth considered a very handsome fortune in those days. The marriage contract is still in existence. This lady was aunt to Charles Neville, sixth Earl of Westmoreland, who was one of the leaders of the Rebellion of 1569, before mentioned. He appears, even during his father's life-time, to have had a serious affray with his cousin and

neighbour, John Neville, the last Lord Latimer (to whom the sumptuous mural monument in Well Church is erected) which led to proceedings being taken, not only before the Council of the North, but at the court of Quarter Sessions, as the following letter upon the subject from John Lord Latymer to the Earl of Shrewsbury, the then President of the Council of the North, will shew.

COPY.

"Right honorable my very goode lorde, after my moost humble maner, these shal be to signyfie your Lordshippe, that whereas ther is a certain matter in traverse betwixt me and my servants, and Sir Thomas Danby, Knight, and his servants, now depending in the lawe before your Lordship, and the Counsaill, for one assault and fraie late made by the said Sir Thomas Danby and his servants, upon me and my servants, in myne owne grounde at Snape, which matters were called and pleaded before your Lordship and the Counsaill at yo'r late syttinge at Yorke, and in the same no ende were made at that time. Trusting that the said matter shuld have been tried before yo'r Lordshippe and Counsaill at the time conveyent without any ffurther busyness off either partie, and sythens that tyme the said S'r Thomas w'th others hath at the Sessions endyted me and my servants for the seid fraie: which thing I never doubted, consideryng that the matter was dependyng byfore yo'r lordshippe, and in the lawe, ffor if I had thought that they would have gone about and sought for such purposes, I wold have loked therupon, most humbly requyryng your good lordshippe to consider the premysse, and to shewe me yo'r benyvolent favor therin and in other my matters now depending in the lawe before yo'r Lordshippe and the Counsaill, thus beseeching I'hu to have your Lordshippe in his holy keepinge.

From Snape this last of
November [1545]

Your Lordshippe's at Co'mandment,
JOHN LATYMER."

Indorsed

"To The Right Honorable and very good Lord The Erle of Shrewisburie, President of the Kinge's Ma'ties Counsaill established in thes north partes."

It also appears that before his father died, viz. in 8 Eliz., A.D. 1565, he had joined him in the purchase of the manors of Healey and Ellington, from Henry Lord Scrope of Bolton, together with all claim to all Badges of Seignory whatsoever, and also of several parcels of land in Healey, Ellington, Masham, Swinton, Fearby, Ilton, and Sourmire.

He was forty years of age when his father died, and when he came into the full possession of his estates, viz. in

1571. In the year 1576 he was High Sheriff of Yorkshire. In the same year he purchased of William Singleton of Fountains, gentleman, the capital messuage of Pot, with all the lands thereto appertaining, and all his claims of right to the Royalties, wastes, &c., thereof. This Mr. Singleton having purchased it, along with other lands, of Sir William, the son of Sir Richard Gresham, to whom King Henry VIII. had granted it on the dissolution of Fountains Abbey.

He died at his manor house at South Cave, on the 14th Sept., 32 Eliz., A.D. 1590, leaving Lady Mary his widow, and a large family of children surviving him. His eldest son Thomas Danby, Esq., had however died in his lifetime, leaving by Elizabeth,* the daughter of Thomas Wentworth, Esq., of Wentworth Woodhouse, a posthumous son, Christopher Danby, Esq., who succeeded to the estates.

This Christopher Danby was very young when his grandfather died, namely about nine years old, and was accordingly a ward under the Court of Wards and Liveries, until he came of age. His mother however, who seems to have been of strong mind, and business-like habits, in the 32 Eliz., A.D. 1589, bought from the Crown the custody, wardship, and marriage of her son, during his minority, and having also procured an assignment of the lease of his lands, undertook herself the bringing up of her infant heir. She made several purchases of parcels of land, and especially of two thirds of the manor of Swinton, and added them to the estate, and otherwise improved it, during the time she had the control over it. She long survived her husband, and spent the greatest portion of her widowhood at Pot Grange near Masham, which she had for her residence. She was in religion a staunch Roman Catholic, and with her son Christopher (one of the Lords of Mashamshire) were accordingly pronounced and punished as Popish Recusants. They,

* She was aunt to the celebrated Thomas Wentworth, Earl of Strafford, of whom I shall have occasion to speak hereafter.

however, in the 8th James I., A.D. 1610, obtained a Pardon under the Great Seal for their offence! but not until after they had first paid a round sum of money for it, when they were restored to their just rights, as British subjects.

Hard however as they no doubt thought it thus to suffer for conscience-sake, they were not without companions in their sufferings, as the proceedings in our own Ecclesiastical Court at Masham, as set out in the appendix D hereto, will abundantly shew. A reference to those proceedings will shew that great numbers of the people here were prosecuted for the following, amongst other offences, viz., for being negligent comers to Church—for indecent behaviour in Church—for keeping their hats on in communion time—for not coming to Church monthly—for absenting themselves from Church on Sundays and holidays—for bidding the Churchwardens to do their worst on their wishing them to go to Church—for not receiving the Holy Communion—for not receiving the Holy Communion at Easter—for not receiving the Holy Communion thrice a year—for refusing to be instructed in the Church Catechism—for not bringing their children to Church to be baptized—for having their children baptized elsewhere than at their own Parish Church—women for not giving thanks for their safe deliverance—for marrying clandestinely, without license or banns—for not being married at their own Parish Church—for being married by a Popish Priest—for being married at a Priest's house—for husband and wife living separate and apart—Schoolmasters teaching without license—for desecrating the Sabbath—for drunkenness—for vain swearing—for brawling and scolding—for being common scolds—for being malicious slanderers—for fornication—for adultery—for incest—for fornication before marriage—for taking possession of the Chapel at Ellington*—for selling the

* Before the dissolution of the monasteries, there was a Chapel of Ease at Ellington, the duties of which were supplied by the monks of Jervaux. It was situate upon the farm lately occupied by Mr. Charles Lee, but now

bell and other ornaments belonging to the Church at Ellington—for not providing bread and wine for the Perambulation—the Clergyman for not reading “The Book of Sports” during the time of divine service, as required by the King’s Proclamation—the Clergyman for not reading Prayers, &c., on Wednesdays and Fridays—the Churchwardens for not putting in force the statute imposing a fine of 12*d.* for every time that a person is absent from Church—for telling of fortunes, and using unlawful enchantments—for carrying a dead man’s skull out of the churchyard and laying it under the head of a person to charm him to sleep—for the nonpayment of Church-rates—for harbouring papistical Recusants*—for having mass said at their houses—for being suspected of being Popish Recusants—for standing excommunicate and being Popish Recusants—for burying excommunicated Recusants—for burying a mother she being a Popish Recusant—for having suspicious crossings of towels at burials—for saying a Pater noster for the soul of an old

by Mr. Jefferson. Part of the building still remains, and is used as a barn.

“And here the Cemetery, hallow’d ground,
Where sleep the Fathers of this ancient place,
This consecrated mould! a garden now
Where culinary plants profusely grow;
And thus the living riot on the dead.”

There was also then a similar Chapel of Ease at Leighton, the duties of which were supplied by the monks of Fountains from their Grange, at Pott Grange. It is now converted into a Farmhouse, and is occupied by Mr. John Carter. There was also formerly another Chapel at Fearby, and a house is still pointed out on the village green, bearing the name of the “Chapel house,” as the site of it, and where is still to be seen the ancient Stone Altar. There were two other private Chapels at Low Burton and High Burton, near Masham, and in all probability another at Aldborough.

* Mrs. Jane Wyvell of Little Burton Hall, or as it is now called Low Burton, was the person who was convicted of this offence. Low Burton Hall is a curious old building, having an octagonal chimney ten feet high, constructed of polished stone. The stair-case is of black oak, and three of the rooms are wainscotted with the same material. There were formerly a Chapel and a burial ground attached to the house. About fifty years ago some ancient vases of earthenware were found here but were not preserved.

wife at her burial—for kneeling at the Cross* at a funeral; and lastly—for making water against the churchyard wall! For these several offences great numbers of the people were not only cited to appear and answer these outrageous charges against them, but were subjected to the censures of the church—including payment of costs, the doing of penance, excommunication (whereby they were cut off from all intercourse with the christian community, and deprived of their civil rights), and to being denounced as Popish Recusants, by which they were placed under many very serious disabilities (including the denial of christian burial), and were subjected to very heavy penalties.

Besides having thus made our Ecclesiastical Court an intolerable engine of oppression for the purpose of coercing the people into a renunciation of a faith to which they were zealously attached, and into the adoption of one which they as cordially hated, the strong arm of the Courts temporal and civil power, was evoked to their aid, as is evident by the churchwardens of Masham being compelled to put in force the Statute imposing a fine of twelve pence for every time that a person absented himself from church, as well as from the document set out below, which I have extracted from the “State Paper Office, Dom. Jas. I., vol. 15.”

“Better, and juster, far would it have been,
To give Religion her unbridled scope,
Nor judge by Statute a believer's hope.”

* Formerly stone Crosses stood in the streets (some of which, or rather the bases of them, were existing within the memory of the present generation) at which sermons used to be preached, royal proclamations made, laws published, and malefactors sometimes hanged. When a corpse was being conveyed to the churchyard to be buried, it was set down there, that all the people attending the funeral might pray for the soul of the deceased. The following question is amongst the “articles to be enquired of within the Archdeaconry of Yorke, by the churchwardens and sworn men.” 163—, 4to. “Whether at the death of any *there be praying for the dead at Crosses, or places where Crosses have been, in the way to the Church*”—which shews that the Reformed Church was then endeavouring to put the practice down. There are still the remains of one of these crosses at Fearby-Cross.

It will be seen by the last mentioned document that the following five gentlemen residing in this neighbourhood, namely, Christopher Conyers of Hutton, Joshua Pullyn of Nidderdale, Francis Scroope of Danby, Anthony Catherick of Stanwick, and Francis Sayer of Marrick Park—having been charged with Recusancy whereby their estates would, on their conviction for the offence, become forfeited to the crown—one Dr. Martin, the Physician to the Queen (adopting the course then usually pursued by the court favourites, and taking time by the forelock by anticipating their conviction), petitioned the King that the goods of these five unfortunate gentlemen should be given to him, and that such his petition was granted. The following is a copy of the precious document alluded to, which is in the form of a Letter from the Archbishop of York, Dr. Matthew Hutton, to Lord Dorset, Lord Treasurer for Recusants, and is endorsed “Minute to the Lord Treasurer for Recusants—the Council to (Lord Dorset).”

“My Lord,

Whereas Mr. Doctor Martin, her Ma'ty's Phisicion hath made humble suite unto the King to bestowe upon him such commodities as shall growe unto his Ma'ty by vertue of the recusance of these persons underwritten, after an orderlie conviction by lawe, and an extent of their lands. Although his Ma'ty be well pleased to shew his gracious favour therein when it shall appeare to what proportion their extents will amount. Nevertheless because there may be many others of his servants who will expect his favour, and that it cannot yet appeare what may be the value of these, His Ma'ty is pleased that you shall take notice that these are sued for by the said Dr. Martin; and that he shall recyve such benefitt as shall arise thereby, yf the same prove to be no greater upon their conviction then shall stand w'th his gracious liking: w'ch yf it be his Ma'ty's will then dispose of as much, or as little, as he shall thinke fitt. And so desiring yo'r Lo'pp to make an entrie heerof accordinglie, I committ you to God.

From the Court at Wyndsore, 10 Septemb. 1605.

Your Lo'pp assured friend to command,

Ebor.

EBOR.

Christofer Conyers of Huton
Joshua Pullyn of Nidderdale
Francis Scroope of Danby
Anthony Catherick of Stanwick
Francis Sayer of Marrick Park.”

But, unfortunately, the persecution of the Roman Catholics, by their Protestant brethren, did not by any means stop here, but extended itself to the shedding of innocent blood, and that too, of men who had been born and brought up in the midst of us, and who with pious zeal were constantly going about this very district in the discharge of the duties of their sacred calling, in the administering of religious consolation and advice to those who, in spite of the severe persecutions and trials they had to undergo on account of their faith, still unflinchingly adhered to it.

Amongst the sufferers above alluded to were the following, viz. :—

Francis Ingilby, a son of Sir William Ingilby, Knight, who was born at Ripley in Yorkshire, and was hanged at York on the 3rd of June, 1586, for no other crime than being a Roman Catholic Priest.

Alexander Crow, who was born in the neighbourhood of Ripon, was hanged at York on the 30th Nov., 1586-7, for being a Roman Catholic Priest.

Richard Sympson, who was born at Well, was hanged at Derby, at the Summer Assizes there of 1588, for being a Roman Catholic Priest. It appears that this Sympson had formerly been a Protestant, but having become a convert to the Roman Catholic faith, he entered the Roman Catholic College at Douay, in France, where he was admitted on the 19th of May, 1577. Having received the necessary instruction there, he was ordained Priest, and sent back into England as a Missionary. Like all new converts, he was more zealous than discreet in his preaching, and spoke with much boldness in defence of the doctrines of the Romish Church. The consequence was that he soon got himself into trouble—was thrown into prison—and from prison into banishment. Nothing daunted, however, he soon returned to his ministry, when he again laboured with unabated faithfulness and zeal, for the winning of souls; but he was a second time cut short in his work, by his being again

apprehended whilst going from Lancashire into Derbyshire, and committed to the County Gaol, at Derby, where he was tried and condemned at the Lent Assizes of 1588 "for being a Priest made by the authority and rites of the Roman Church." After this his conviction it seems that the fear of death at last unmanned him so that he betrayed some symptoms of wavering, and took some steps towards conforming to the Protestant religion and a renunciation of his own faith; and was accordingly reprieved until the Summer Assizes following. In the meantime however, he relented of the steps he had taken towards a recantation, and having re-asserted his continued adherence to the doctrines for which he had been condemned, he was ordered for execution. An eye-witness of the execution says, that he suffered with great constancy, though not with such remarkable signs of joy and alacrity, as the two priests his companions, who were executed along with him. After his execution, his head and quarters, were set upon poles, in and about Derby, but were afterwards stolen away by his friends and decently buried.

The following lines are said to have been written by an eye-witness of the execution of Sympson and his two companions:

"When Garlick did the ladder kiss,
And Sympson after hie,
Methought that there St. Andrew was
Desirous for to die.

When Ludlam looked smilingly,
And joyful did remain,
It seem'd St. Stephen was standing by
For to be ston'd again.

And what if Sympson seem'd to yield,
For doubt and dread to die:
He rose again, and won the field,
And died most constantly.

His watching, fasting, shirt of hair,
His speech, his death, and all,
Do record give, do witness bear,
He wail'd his former fall."

Nicholas Horner (a layman) who was born at Grantley, near Ripon, was hanged at Smithfield, on the 4th of March, 1589, "for assisting Christopher Bayles, made Priest beyond sea, who was convicted of treason for remaining in the realm contrary to the statute."

Peter Snow, who was born at or near Ripon, was hanged at York, on the 15th of June, 1598, for being a Priest.

Thomas Pallaser (a Priest) who was born at Ellerton-on-Swale, was apprehended at the house of Mr. John Norton, of Norton Conyers, along with Mr. Norton and his wife, and a Mr. John Talbot, for being found in his company, and were all committed for trial at the Durham Assizes, where they were all found guilty and condemned to die for their religion. All of them (except Mrs. Norton, who was reprieved on account of her being supposed to be then *enciente*) were executed at Durham on the 9th August, 1600.

John Pibus, who was born at Thirsk, was also hanged on account of his religion, on the 18th of Feb., 1601.

I will but add one more to this black catalogue of judicial murders on account of religion, by the way of further shewing the extent of the persecutions which the Roman Catholics suffered at the hands of the Protestants on account of their faith, in this immediate neighbourhood.

Edmund Catterick, who was of the family of the Cattericks of Carlton, near Richmond, was executed at York on the 13th of April, 1642, for being a Roman Catholic priest. The circumstances attending his apprehension—and that too on the very border of our own parish, and most probable immediately after one of his stolen visits to it in the pursuit of his holy vocation, and the administering to the spiritual wants of the people within it—his committal to prison, his trial, conviction, and subsequent execution, are so touching, that I am induced to devote a few lines to a description of them.

It appears that Mr. Catterick received his education

at the English College of Douay, and having been there made a Priest, he was sent upon the English Mission about the year 1635. He is said to have been a man of extraordinary meekness, and to have been very zealous and laborious in his mission. After seven years of labouring in the vineyard of his Lord and master, he was apprehended on the road not far from Watlass, and carried before Mr. Dodsworth of that place, who was a Justice of the Peace, charged with being a Roman Catholic Priest. It would seem, that when he was before Mr. Justice Dodsworth, there was some difficulty in giving the necessary legal proof of Mr. Catterick's being really a Roman Catholic priest, as charged against him. This difficulty, however, Mr. Dodsworth soon found means to get over, for it so happened that he having married a near kinswoman of Mr. Catterick, the latter gentleman had, when on a visit to him on his own invitation, candidly, but confidentially, informed him that he was a Roman Catholic Priest: Mr. Dodsworth therefore took upon himself, without more ado, to commit Mr. Catterick to York Castle for trial on the charge, and afterwards appeared and gave evidence against him on his trial, to the effect that the prisoner had in his hearing owned himself to be a Priest. Upon this evidence he was convicted, and condemned to die; and was accordingly executed on the 13th April, 1642. His demeanour at the place of execution is said have been very religious and devout, and that, whilst Mr. Lockwood (who was executed along with him) was upon the ladder, he by his looks and reverend postures, plainly shewed that his supplications to God were full of fervour and affection. When Mr. Lockwood had been turned off, and he was ordered up the ladder, he cheerfully obeyed, and appeared calm and tranquil. When he was upon the ladder he again betook himself to prayer, earnestly desiring all Catholics there present to pray with him, and for him. He spoke little, saying, there was no need of it, for that his trial being but lately

passed, whereat many of the company were present, they could all bear him witness that he was tried and condemned for his priesthood, and that for this only, and for no other reason was he brought thither to suffer death. He prayed for the King, his royal Consort, and their issue, and that God in his mercy would shower down his blessings upon them, and send a right understanding between his Majesty and his Parliament. He then prayed for his persecutors, especially the person who was chiefly instrumental to his death, that God would bring him to a sense of his crime, and a speedy repentance, adding, that for his own part he freely forgave him, as heartily as he expected, and hoped for mercy and pardon of his own manifold sins at the hand of God. And now recollecting himself again for a few moments, with eyes and hands lifted up to heaven, he said, "Lord, I obey; be near me O Lord, my soul hath trusted in thee, let me not be confounded for ever." Then, pulling a cap over his eyes, he delivered himself to the executioner, who soon after turned him off the ladder, and he calmly expired. His head was placed upon Micklegate Bar in York, and his bowels were buried on Toft-green.

Having now brought to an end this sickening account of the persecutions which the Roman Catholics in this district received at the hands of the Protestants, it is a great relief to me to turn aside from these sad scenes of bloodshed, and to return to the theme of my general history of Mashamshire.*

* Should the reader however desire to pursue this subject further, I beg to refer him to Dr. Bridgewater's "*Concertatio Ecclesiæ Catholicæ*," (which is written in latin) and to Bishop Chaloner's *Missionary Tracts*. Dr. Bridgewater alone names about 1200 who thus suffered before the year 1588, and Bishop Chaloner adds very considerably to the number; and I may add, that so far as I have been able to test the truth of their statements, I have found them correct, although, as is to be expected, the accounts they give are somewhat highly coloured. It may be proper for me here to acknowledge that I am indebted to this source for much of the information given above. I am alone responsible for the language in which it is conveyed, hav-

I left Christopher Danby, the then Lord of Mashamshire, in his nonage, under the fostering care of his mother and guardian at Pott-grange.

Christopher Danby, having in the year 1602 arrived at the age of twenty-one, was then freed from the Court of Wards and Liveries, and thus came into the possession of his Estates. He soon afterwards married Frances the youngest daughter of Edward Parker, Lord Morley and Monteagle. This Lady was sister to William Lord Morley and Monteagle, to whom the remarkable letter was addressed by one of Guy Fawkes's co-conspirators in the gunpowder-plot in the reign of James I., by means of which letter the Plot was happily discovered, and Guy Fawkes and his co-conspirators were arrested before they could put their plans into execution, and were afterwards punished. In the year 1604 it would seem that he was travelling abroad, for I find in the State Paper Office that a License was granted to him to travel, which is dated the 11th of April, 1604. Christopher Danby and his wife were both Roman Catholics. His wife, it will be seen on referring to the Appendix D hereto, containing extracts from the Act-book of the Ecclesiastical Court at Masham, was for her adherence to her faith, prosecuted and punished as a Popish Recusant.

Both parties seem to have forgotten to exercise that mutual forbearance so beautifully described in the following well-known lines of Cowper :

“The kindest and the happiest pair,
Will find occasion to forbear :
And something, every day they live,
To pity, and perhaps forgive.”

The marriage was not by any means a happy one, and resulted in domestic feuds and a considerable amount of litigation, and finally in the husband and wife living separate and apart. Christopher Danby does not by

ing taken upon myself to re-write these accounts, in consequence of the quaint and unreadable language in which the originals are written.

any means seem to have lived altogether a blameless life, and to have kept the best of society. His name will be found recorded in the proceedings before alluded to in the Ecclesiastical Court at Masham in connection with a little amorous affair with one Elizabeth Scott. Amongst other indiscretions, he appears to have allowed himself to be grossly robbed by an unfaithful steward, and to have run into considerable debt, so as to compel him to sell off a considerable portion of his paternal estates. He was also a very litigious person, and was consequently involved in a multiplicity of law suits, amongst which may be mentioned an action which he brought against Solomon Wyvell of High Burton, for hunting upon Brownriggs, in which he obtained a verdict at York Assizes, and thereby established that Brownriggs was situate within the boundaries of Mashamshire, and was not within the boundaries of East Witton Parish, or part of the lands belonging to the then Lord Bruce as was then contended.*

* The following Will of *James Danby*, of Ellington, (*a member of the family*), which was proved in the Peculiar Court of Masham, together with the Inventory lodged in that Court by the Executors thereunder, is not only very curious, but also throws some light upon the embarrassed state of the affairs of the Danby family at this time. The will commences as follows:—

“IN THE NAME OF GOD AMEN, the thirtieth day of August, Anno D’ni 1617, I JAMES DANBIE the elder, of Ellington in the Parish of Masham, in the Countie of Yorke, Gent., (being aged and growinge infirme in body throughe sicknes and unwonted maladies increasing upon me, and thereby the rather warned to prepare my selfe toward myne end whereto by age and infirmities I finde myselfe hasteninge) have thought it very meete and convenient nowe in the time of my good and p’fect memory (for w’ch I highly praise God) to disburden myselfe and my thoughts of the cares of this world, in disposinge of my wordly estate and goods transitorie by my last Will and Testam’t, w’ch I do nowe by these p’sents ordain and make in manner and forme followinge: that is to say First, and chiefly, I com’end my soule in the hands of Almighty God my Creator, assuredly trustinge by and through the meritts, death, and passion of his dearly beloved sonne Jesus Christ mine onely redeemer and Saviour to p’ticipate w’th the faithfull in that eternall ioy and felicitie w’ch God hath p’pared for his electe, and my body I commend to the earth from whence it came *to be buried in the Church of Massam aforesaid as neare the place of myne Ancestors their*

Christopher Danby died on the 18th of July, 1624, and was succeeded in his estates by his eldest son Sir Thomas Danby, Knight, who was then a minor of fourteen years of age.

buriall as conveniently may be." He then proceeds to dispose of his wordly goods to "the two children of William Challoner of Ellington aforesaid, Yeoman, and Katherine, his late wife deceased;" "William Malleverer, of Arnecliffe, Esq., and Francis Pinckney of Nether-Silton, Gent;" "Thomas Ascoughe of Low Newstead" his "sonnes James Danby and John Danby," to whom he leaves his Lands at Scruton—and he appoints the said William Malleverer, Esq., Francis Pinckney, Thomas Ascoughe, and his said son James Danby executors of his said Will.

The following is an exact Copy of the Inventory before alluded to: "Debts w^{ch} the Testator affirmed to be owen unto him by Eliz. Danby of Pott, widdow, and X^pofer Danby of Farneley, Esq., her sonne, as followeth: Item, Eliz. Danby for the use and interest of one hundreth pounds for two years xx*l*s. Beside the losse and damage sustained for want of the said xx*l*s. for twelve years or theireabouts at least amountinge to xxiii*l*s. It'm lefte in the said Eliz. hands to have beene equally paide to his children James and Eliz. p^{cell} of the said *C*l*s*. towards theire pore'ons the sume of xl*l*s., w^{ch} being never payde accordingly the losse and damage for want of the same xl*l*s. for twelve years or thereabouts amounteth to xlvij*l*s. It'm, the said Chr^ofer Danby, Esq. for an Annuitie of ij*l*s. vjs. viij*d*., given unto the Testator by Sir X^pofer Danby, Knight, his Father dureing the Testator's life, w^{ch} was behinde and unpaide to the Testator in the minorite of the said X^pofer for foureteene yeares at least, amountinge to the sume of xlvj*l*s. xiijs. iiij*d*. beside the damage for want of the said xlvj*l*s. xiijs. iiij*d*., since the said X^pofer came to full age being xij yeares at the least amounting to liii*l*s. It'm lent to the said X^pofer towards the reedeming of his wardship (as other Tenants) three years rent never yet repayed nor allowed, viij*l*s. It'm for use of ij*l*s. xvs. due yearly for the bailiwick of Massam given by the said Sir X^pofer Danby to the Testator during the lives of Sir X^pofer Danby, and Sir Thomas Danby, and when the said Chr^ofer Danby, Esq., was ward and alsoe since he came to his full age till within eight yeares or thereabouts last past amountinge to the sume of xxx*l*s. Beside the want of the yearly profitt of the Chamber beside the *Tollbooth and the Shoppes under the Tollbooth*, all w^{ch} did belonge to the bailwicke being worth by yeare x*l*s., w^{ch} the Testator hath also wanted for eight yeares at least, amounting to xvj*l*s."

Katherine Challoner, mentioned in the above will, appears to have been a daughter of the Testator James Danby. He also appears by his Will to have had another son called Christopher, who was then dead. The Inventory discloses, amongst other symptoms of embarrassment, that the Tenantry of the estate had been called upon to advance to their young Landlord, (the scape-grace Christopher Danby), by way of loan, the amount of three years

This Sir Thomas Danby, being in his minority at the time of his father's death, became a ward under the Court of Wards and Liveries,* and his possessions were accordingly taken possession of and held by that Court during his minority. Mr. Christopher Wandesford of Kirklington (who afterwards became Sir Christopher Wandesford, Knight, Master of the Rolls, and Lord Deputy of Ireland) purchased from the Court of Wards and Liveries for the sum of 800*l.* the right to the custody, wardship, and marriage of Sir Thomas Danby, the minor, together with an allowance of 20*l.* a-year to be paid out of Court for his maintainence and education, until he should attain the age of twenty-one years, and also a Lease of all the minor's estates (which included other estates besides Mashamshire) for a Fine of 40*s.*, during the minority, at the annual rent of 150*l.* Sir Christopher Wandesford, having thus obtained the possession of the minor's person, and the right of marrying him to whomsoever he thought fit, as also a Lease of all his estates, at the moderate rent of 150*l.* a-year, set about securing, what I may term the reversion in the minor and his estates; and accordingly, whilst he was even yet in his minority, married him to his own daughter Catharine Wandesford. This happy event occurred in the 6th Charles I., 1630. This marriage, whatever may be said or thought as to the manner of its being brought about, seems to have been a happy one, or at all events, a very fruitful one, as she bore him a large family of children; and, according to a memorandum in

rent, in order to assist him in purchasing his wardship, and thereby to get the management of the estate back into the hands of the family.

This James Danby (the maker of the will above mentioned) was the uncle of Christopher Danby the "*unjust steward*" to the Danby estates, the latter being a son of Marmaduke Danby, Esq. of Masham, who was the fifth son of Sir Christopher Danby, Knight, who married Elizabeth the daughter of Richard Neville, Lord Latimer.

* For an illustration of the monstrous tyranny which was exercised by the Court of Wards and Liveries over minors, before its abolition, see Copy-Will of John Laton, and notes thereto in the Appendix F, No. 3.

handwriting of Abstrupus Danby, she in the end died at Thorp-Perrow on the 22nd of Sept., 1645, in the thirtieth year of her age, in giving birth to her fifteenth child, and was buried on the same day at Masham.*

In the 8th Charles I., A.D. 1632, Sir Thomas Danby

* The following account of the purchase of the wardship and marriage of young Thomas Danby, by Mr. Christopher Wandesford, is given in a very rare book, now in the possession of the Rev. John Prior, M.A., Rector of Kirklington, who married Sarah, daughter of the Hon. Charles Harward Butler Clarke Southwell-Wandesford, the grandson of the last Earl of Wandesford, Viscount Castlecomer, and Baron Mowbray and Musters, entitled "A BOOK OF INSTRUCTIONS, written by the RIGHT HON. SIR CHARLES WANDESFORD, KNIGHT, Lord Deputy of Ireland, First Master of the Rolls, then one of the Lords Justices, and Baron Mowbray and Musters, to his son and heir GEORGE WANDESFORD, ESQ., in order to the regulating the conduct of his whole life."

At the request of Sir Thos. Wentworth [afterwards Earl of Strafford] and with the approbation of the other relatives of Thomas Danby of Massam, Esq., Mr. Wandesforde was now prevailed on, being resettled at Kirklington, to take on himself the wardship of this young gentleman, *and his estate which was greatly encumbered with debts and Leases, contracted and made by his father, who had loved pleasure*, and left this son, another son, and a daughter.

Sir Thomas Wentworth, in a letter dated Nov. 13, 1625, to Sir Walter Pie, Attorney of the Court of Wards, informs him, that all the relations of the Wards, viz., his Grandmother, Lord D'Arcy [whose mother was a Wentworth], and himself, approved of Sir Henry Anderson's turning over the wardship of Mr. Danby to Mr. Wandesforde, as the best course for the ward, and desires his assistance to dispatch the affair legally, Mr. Wandesforde not daring to go to London on account of danger from the plague, but sending an agent.

Mr. Wandesforde managed the estate and affairs of Mr. Danby with the same care as if they had been his own. He paid off all just debts,—discharged many burthensome annuities,—considerably improved the rents,—and provided the best education for the Heir and younger branches.

Mr. Danby, having lived sometime in Mr. Wandesford's family, *had cast eyes of affection on his elder daughter*, a very pretty young lady, and appeared so worthy in the eyes of all the family, that though several other gentlemen of considerable fortune, etc., were suitors, he was preferred both by her and her parents, and being about eighteen years of age, now married her about fifteen. Thereupon Mr. Wandesford delivered to his son-in-law all his Estate of 3000*l.* per annum, clear of all demands of Wardship, etc., and added a very handsome fortune in ready money, viz., 1600*l.*, as appears from a letter of Lord Strafford. Abstrupus Danby says her fortune

granted a Deputation to his brother-in-law Francis Armitage, Esq., appointing him to the office of Bow-bearer of his Chase in Mashamshire, to hold for his life, together with all the fees and emoluments thereof, in as ample manner as the same had usually been held before.

Sir Thomas Danby was a Justice of the Peace for the North Riding of Yorkshire, and in the year 1638 he was appointed to, and executed the office of, High Sheriff of the County.

In the year 1635, he was appointed by his cousin-german, Lord Wentworth (afterwards created Earl of Strafford) then Lord Lieutenant of the West-Riding of Yorkshire, and Lord President of the North, one of his Deputy Lieutenants, which was an appointment of some importance at that day.

It will be seen from the following letters (which are preserved in the British Museum, and are to be found there, in Add. MSS. 6672, folio 222), that Sir Thomas was very active in enforcing the payment of that obnoxious tax, Ship-money,* which proved so disastrous not

was 2000*l.*; and as this couple were too young to begin housekeeping, gave entertainment to themselves, servants, and horses, for several years."

From this account it would seem, that young Thomas Danby's own mother (who had taken to herself a second husband) took no interest in the boy, but left the arrangement of these matters to his aged grandmother, who still lived at Pot Hall, and her relatives, the Wentworths. Also that Mr. Wandesford having taken him to live with him in his own house at Kirklington, the young gentleman soon began "to cast eyes of affection" on his daughter, the "very pretty young lady," Kate, which being reciprocated, ended in the most natural manner possible, in a marriage between the two young people.

* It seems that in ancient times the Kings of England had occasionally during the exigencies of a perilous war, called upon the maritime counties to furnish ships for the defence of the coast, and that such demands had sometimes been compounded for by the payment of money. Charles I. being much in want of money, and having a difficulty in inducing Parliament to grant him supplies, hit upon the expedient of making use of this ancient, but long disused, prerogative of the Crown in order to meet his needs. He therefore levied Ship-money, not only along the coasts, but also on the inland shires, and that, too, in a time of peace, and not for maintaining a

only to his Royal master, King Charles I., but to his own relative and patron the Earl of Strafford.

Copy of a letter from Charles Egerton, Esq., of Markenfield Hall, near Ripon, to Sir Thomas Danby, Knt.:

“Noble Sr.

It is a hundred miles betweene my habitation heere in Staffordshire and my house att Markinfield, there in the County of York: so that suddenly I cannot send betweene them where yo'r officer hath driven three of my best kine and one calfe, for six Pounds required for Ship money; although I had before sent unto the Vice-President certaine money to discharge the same, desireing him to move you I might not be 'sessed above forty shillings—in regard of my former sufferings, as he can acquaint you—as also that it is as much as many do pay for thrice such an estate. My desire is, you will command my goods to be delivered to this bearer, and that you will speake w'th Sir Edward Osborne, unto whom, w'th yourself, I reffer myself. S'r, I pray consider my charges and foure hundreth miles Journey heereabout, and ease me the more in my 'Sesment. S'r, by my Servante's letter here sent, you may see w'th what severity yo'r Collector hath used me, w'ch I refer to yo'r discretion.

Newburrow, the 4th of
December, 1637.

Yo'r Servant,

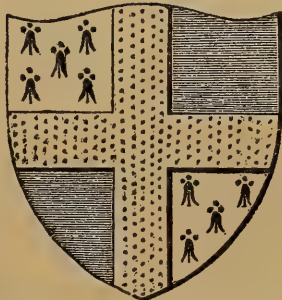
CHARLES EGERTON.*

Copy of letter from the same Charles Egerton, to Sir Edward Osborne,† Knt., Baronet, Vice-President of

navy for the defence of the coasts, but for indirectly furnishing him with the supplies which the Parliament would not grant him. This claim so alarmed and incensed the whole nation, that it was stoutly resisted by the people, and led to the Revolution, by which the King lost his head on the scaffold on the 30th of January, 1649.

* This gentleman was the owner of Markenfield Hall, near Ripon, as to which see *ante*, p. 100.

† This Sir Edward Osborne was the son of Sir Hewitt Osborne, Knt., and grandson of Sir Edward Osborne, Lord Mayor of London in the time of Queen Elizabeth. He was the ancestor of the present Duke of Leeds.



ARMS OF THE DUKE OF LEEDS.

the Council of the North, annexed:

“Noble Sr.

Notwithstanding my request unto you att London, as also that I made bould immediately upon my returne thence, to write unto you at Yorke, and therew'th sent some money to pay unto Sr. Thomas Danby, for Ship money; yet—notwithstanding his officers have driven away some of my best Cattle, for Six Pounds demanded for the same—as by this letter sent unto me by my servantes may appeare, procureing me great sorrow, labor, and charges to signifie the same unto you and the Sheriffe: unto whom I have written, requesting both yo'r assistance to se me righted att yo'r pleasures. Hartily wishing either a good life or a quiett grave.

Yo'r true friend,

2 of Decemb. 1637.

CHARLES EGERTON.

Copy of letter from the same Charles Egerton to the same Sir Richard Osborne, annexed:

“Noble Sr.

Under protection of yo'r love, I have made bold to send you by this bearer forty shillings, w'ch I desire may be payed to Sir Thom. Danby, for this year's Ship money, in discharge of my Lands in Yorkshire—two motives inducing me so to do. First, because you promised to move him therein, as also to save me the charges and trouble of sending two hundred miles to pay the same in Yorkshire. Sr., I was 'sessed there Seaven pound the last yeare, when the verry next Towne, with the Manour and all, was but forty shillings.

Noviembar the 25th, 1637.

To his noble kind freind Sr. Edward Osborne, Knt., Baronett, Vice-President of the north, these.”

The above correspondence is addressed “To his noble friend Sr. Thomas Danby, Knight, Baronett, High Sheriffe for the County of Yorke, give these.”

Sir Thomas Danby was zealously attached to the royal cause during the Civil Wars, and was entrusted with the command, or coloneley, of a regiment of soldiers which was raised in this district.

The King having determined to declare war against Scotland, in order to enforce the submission of the people of that country to his will, in regard to the adoption by them of Episcopacy and the English Liturgy, which they strenuously resisted—set forth upon his mad crusade in March, 1639, and having arrived at York on

the 30th of that month, was there met by a number of the Yorkshire nobility and gentry: On that occasion he was presented with the following important address, which, it will be seen, is signed by, amongst others, Sir Thomas Danby.

“Most dread Sovereign,

We, your Majesty's most humble and loyal subjects, the Deputy Lieutenants and Colonels of the County of York, having heard and considered of divers propositions made unto us by Sir Jacob Astley, Knt., Sergeant Major General of the Field, and Sir Thomas Moreton, Knt. and Colonel, conducing to the safety and defence of your Majesty's whole Kingdom, and more particular of these Northern parts, do, with all humble readiness and unanimous consent, profess that in case your Majesty, out of your princely wisdom, shall find cause to command our services, we with our persons, together with the Trained Bands of this County (being double their ancient number, and the charge of any other County near us, proportionably), will be ready to march, with the arms charged upon us, to such place or places of rendezvous as your Majesty shall be pleased to assign: there to enter into pay according to your Majesty's instructions, signified by the said Sir Jacob Astley. Nevertheless, with all humble submission, we beseech your Majesty to take into your gracious consideration in what state and condition our country, fortunes, wives, and children, will be then left, when those forces shall be totally drawn from us, which, as we conceive, are and always have been seated and settled among us for our own defence and safety at home, and, for anything that we have heard or can find to the contrary, even in times of great hostility, were never all at once employed out of our own County, upon any remote service whatsoever: nor can we but expect many insolences and disorders from such forces as shall be raised out of other parts for securing ours during our absence, as may appear by experience of some former times—all which we most loyally and dutifully submit to your Majesty's princely wisdom, being really confident that as your Majesty's most vigilant eye of providence ever watcheth over all your kingdoms in general, for the public peace and preservation, so you will be graciously pleased to take us and our County now into your royal consideration, who shall be exposed to most danger in case your Majesty be enforced to enter into action. Thus beseeching God for your Majesty's long and prosperous reign over us, we humbly rest, your Majesty's most loyal subjects and obedient Servants,

Edward Osborne
William Scott, major
William Savill
Jo. Hotham
Henry Griffith
William Pennyman
Thomas Mesham

Hugh Cholmondeley
Arthur Ingram
William Sheffield
George Wentworth
Edward Rhodes
Thomas Danby
William Mallory

Henry Goodrick
William Lister
Jo. Ramsden

George Butler
Robert Strickland
Robert Rockley."

This document, although full of loyalty, was in truth a remonstrance, and intended as such, and ought to have induced the King to have refrained from pressing forward with his army to the border—especially when it was well known at the time that the Scots were united as a nation in favour of the covenant; and it was not right or just, or even politic, thus to attempt to forbid them their liberty of opinion on religious matters. But it failed in inducing him to alter his plans.

Sir Thomas represented the Borough of Richmond in Parliament, and was member for that constituency during the memorable Long Parliament. In the year 1642, however, that august body declared him incapable of sitting in it, on account of his attachment to the royal cause.

He also warmly and zealously adhered to, and supported, his relative and patron, the unfortunate and cruelly persecuted Earl of Strafford; during all his contentions and trials, and was one of the very few persons who ventured to come forward openly and give evidence on his behalf, on the occasion of his Trial on the Bill of Attainder before Parliament, and to vote against his conviction on that occasion. For this, his honourable adherence to the cause of the fallen Earl, he was one of those few members whose names were publicly posted up in London on the 3rd of May, 1641, immediately after the trial and conviction of the Earl, and thus pointed out to the fury of the inflamed populace, as "Straffordians."

The following lines, which are ascribed to the Earl, shew that he fully appreciated the kindness and devotion thus shewn to him by Sir Thomas and his other friends.

"The pride of life has vanished,
And here I stand alone,
Degraded, stript, and banished
From all that was my own :

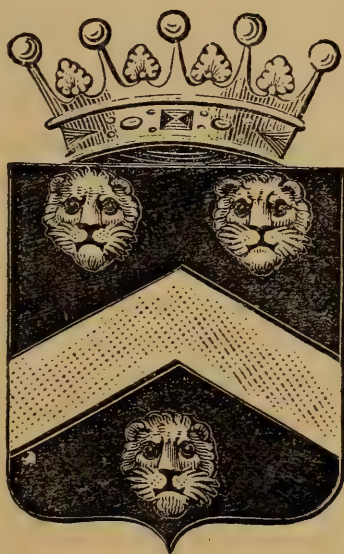
Yet in dreams, when friends surround me
With the loyal and the true,
The youthful links that bound me,
Seem all riveted anew.

When I hear their loyal voices,
I half forget my wrongs,
And again my heart rejoices
In our good old loyal songs.

Pent up in these dark regions,
The only gems I boast,
Are my *honour and allegiance*—
All else of earth is lost."

SIR H. ELLIS'S ORIGINAL LETTERS, VOL. III.

I may here mention that a good portrait of the Earl is preserved at Swinton Park, and may be seen in the dining room there.



ARMS OF THE EARL OF STRAFFORD.

During the supremacy of the Roundheads Sir Thomas Danby was long detained a prisoner, and obliged to pay a fine of 5600*l.* to procure his freedom and the restoration of his estates.

After the Restoration, King Charles II., in 1660, invested him with the Order of "The Royal Oak," which

Order was projected by that monarch, in order to perpetuate the loyalty of his faithful adherents, but was afterwards abandoned under the apprehension that it might also perpetuate dissensions which had better be consigned to oblivion.

In the Act Book of the Ecclesiastical Court, so often before alluded to, and in other evidences which I have had the opportunity of examining, we have a melancholy insight into the very sad condition of the morals of the people of Mashamshire during the time of which I am here treating.* They appear to have been habitually

* The Rev. James Raine, M.A., in the Preface to his "Depositions from the Castle of York, relating to offences committed in the Northern Counties in the seventeenth century," published since the above remarks were penned, draws an equally dark picture of the state of the morals of the people in the North of England generally at this period. He there says, "Every village had its party of thieves: every family had its own feuds and wrongs to avenge. No one could go to rest with certainty of finding his cattle in his fold when he arose in the morning. The effects of such a system were most disastrous. Agriculture was necessarily neglected. Refinement there was none, and all the gentler arts were uncultivated and unknown. The husbandman tilled his fields with his arms by his side, meditating, perhaps, all the while a descent upon some neighbouring herd. The landed proprietor, also, was but little in advance of his tenant in the social scale. He occasionally assisted him in his raids. At all times he was willing to cast a cloak over his offences. On every side there was rapine and bloodshed, and the inhabitants of the district, gentle as well as simple, were Ishmaelites indeed. Of the social position and character of the people of the North during the seventeenth century, it is impossible to speak with commendation. These Depositions give us a very unvarnished tale. Party spirit seems to have raged with all the acrimony of later times, unattended by their generosity. Treason in one form or another was not unfrequent. Many vices had sprung up which were congenial to that period, and which the rulers treated with unequal justice that is so detrimental to the morals and happiness of the people. Informers were far too busy with their calumnies and lies, and men had not yet learned to look upon them with contempt. There could be but little security either at home or abroad when freedom of speech and liberty of conscience were hampered or denied. Restrictions are too frequently the nurses of discontent and crime. What way could education have made among the people when superstition was still rampant, and when they listened with such implicit belief to every tale of witchcraft and spiritual manifestations? Religion also, I fear, had but little hold upon the masses. They were obliged indeed to attend the services of the church, but

guilty of almost every conceivable offence, not only cognizable in the Ecclesiastical Courts, but also in the civil and criminal Courts of this country. Where there was not a systematic opposition to the Reformed Church, there was a dogged indifference to its teachings and ministrations, and that too in spite of the very severe

there are few things more detrimental to true piety than such compulsory worship. It bore some very evil fruits. That this was the case the frequency of the crime of sacrilege is a sufficient proof. When the spirit of devotion is strong no unholy hand is laid upon a church. There were robbers of every description and degree, from the famous Nevinson to the ordinary cut-purse. Horse-stealing was a very frequent offence, especially in the time of the Civil Wars and among the disbanded soldiery. Cattle-stealing, which is now so rare, was one of the common vices both of town and country. But, perhaps, the most serious and frequent crime was the clipping and deterioration of the coin. The most striking political offence was the great Presbyterian rising in October, 1663. That powerful party had many real or imaginary grievances to arouse it. The neglect of that Sovereign whom they had placed upon the throne—the vices that he countenanced and practised—the black Bartholomew Act that emptied so many pulpits—generated much bitterness and discontent. This broke out at last in open rebellion. A conspiracy was organised at Harrogate and Knaresbrough, which spread its ramifications through the whole of the northern Counties. Numerous arrests were made throughout the north of England, and in the Winter a special assize was held, at which the offenders were brought to the bar. Twenty-two were executed in Yorkshire, and four at Appleby. Many others were kept in prison for a long time. . . . Among the political offenders of the day, the Quakers must undoubtedly be enumerated. That peculiar sect had only recently sprung into existence, and through its luminaries, Fox and Naylor, it was very closely connected with the north of England. [There were formerly a great number of Quakers settled in Masham Parish, and there is still within it a Quakers' Meeting-house and a Burial-ground, although there are not now any Quakers left in the Parish]. The infancy of this religious party was more fiery than its age. The Quakers were concerned more or less in all the plots of the time. It was their delight to abuse the Minister in the pulpit, and the Judge upon the bench. They were continually violating public order and decency in the grossest manner. They prophesied—they walked about the streets in the unadorned simplicity of our first parents—they howled and bellowed as if an evil spirit was within them—they professed to use earthly weapons, as the sword of the Lord and of Gideon. Madness like this was of course intolerable. The Yorkshire Justices clapped the deluded creatures into prison—they suppressed their conventicles—they forced upon them the oath of allegiance, and cooled their religious ardour in the gaol."

enactments, which were put in force with great rigour, by a not unwilling clergy, to coerce them into submission by an unwilling adoption by them of a new-fangled creed, which found no favour either in their understandings or their consciences. This was, undoubtedly, the case, as to a large majority of the people in this parish; and the great bulk of those who seemingly conformed to the doctrines of the Reformed Church, did so merely because of their utter indifference to all religion whatever, and would as readily have conformed themselves to Mahomedanism, or any other form of religion, imposed upon them by the state. Hence lawlessness and crime became the rule rather than the exception. This was no doubt attributable to the unsettled state of things which had prevailed from the time of the Reformation as regards religion. The Reformation had unsettled everything, and had especially unloosed men's minds from all restraint and authority. The Roman Catholics, on the one hand, were no longer under the control of their priesthood, which had hitherto exercised a wholesome and salutary influence and authority over them, and their moral conduct; and, being denied the counsel and advice of their own chosen guides, they refused to recognize the authority of the Protestant Clergy, who had superseded them; whilst on the other hand, the Protestants, or such as chose to call themselves by that name, were impatient of all priestly control whatever, and have not, even to this very day, acknowledged the authority of their clergy over them, in anything like the same degree as the Roman Catholics have ever done towards their priesthood. All authority being thus gone, the people were left like a bark without a rudder on the troubled ocean, to be tossed about by every wind, and the consequence was, that they gradually, but surely, drifted into schism, and schism, ever begetting and reproducing schism, (coupled with each individual, however ignorant and unlearned, claiming to be divinely inspired, and to exercise and act upon his own private judgment,

as to the rule of his faith and conduct), they ran into the adoption of a great number of errors, contradictions, and absurdities, which ended in their splitting up into numberless sects, professing very opposite and contradictory views upon the subject of religion; and thus they brought religion in general into disrepute, as well as scandal upon its professors.*

Men then rose up, as they have ever done, and will ever do again, in like circumstances,

“ With passions under no command,
Who fill the world with doctrines contraband,
Discoverers of they know not what, confined
Within no bounds—the blind that lead the blind.”

This was especially the case with the Puritans, who seemed to think that religion consisted in adopting a peculiar gait and garb—in wearing lank hair cut in such a manner as to represent an inverted bowl on their heads (from which circumstance they acquired the name of “Roundheads”)—in assuming a sour solemnity of countenance—in turning up the whites of their eyes—in always speaking with a nasal twang, and in a peculiar dialect—in using the imagery and style of Scripture, in speaking of the every day occurrences of life†—in

* Principal Tulloch in his “English Puritanism and its Leaders” says on this subject, “Startling as such contrasts appear, and inconsistent with all sanity of judgment, they were not uncommon in this age. Men’s minds in such a storm of religious fervour as prevailed, passed rapidly from one extreme to another. There was no principle too fixed or sacred for discussion; all landmarks in religious doctrines and experience had been torn up, and the spirit of inquiry, once set in motion, ran in many cases from indifference to earnestness and the study of the Bible, and from these again, under some new and irrepressible stimulus, to contempt, and libertinism both of thought and practice.”

† *Cant* was the fashion of the day; and where a letter was not profusely interlarded with the language and figures of Holy Writ, the author was liable to be suspected of indifference or affection to the cause.

“An evil soul, producing holy witness,
Is like a villain with a smiling cheek.”

SHAKSPERE.

“And thus he clothes his naked villainy
With old odd ends stol’n forth of Holy Writ.”

DR. BEATTIE’S CASTLES AND ABBEYS.

their dislike to organ music in their Churches—in a horror to a liturgy and to bishops—but above all at the sight of a cross (the emblem of our salvation), or other ornaments or decorations usually met with in God's house. Such being their principles they interdicted, under heavy penalties, the use of the Book of Common Prayer, not only in the Churches, but in private houses—ejected many thousands of the Clergy from their benefices, merely because they did not come up to their standard, and did not adopt their peculiarities—defaced many of the fine works of art, and remains of antiquity found in our Churches—and prohibited every species of amusement however harmless—at the same time quoting texts of Scripture in support of their atrocities.

“The world is still deceived with ornament

* * * * *

— In *Religion*,

What damned error, but some sober brow
Will bless it, and approve it with a text,
Hiding the grossness with fair ornament?
There is no vice so simple, but assumes
Some mark of virtue on its outward parts.

* * * * *

Thus ornament is but the guiled shore
To the most dangerous sea: the bounteous scarf
Veiling an Indian beauty: in a word,
The *seeming* Truth which cunning times put on
To entrap the wisest.”

SHAKSPEARE.

The principles of these canting, whining fanatics, seem to have extended themselves into our own parish, and even to the person of the then vicar of Masham, the Rev. Gilbert Horseman, who, amongst other things, objected to wearing the prescribed vestments during the celebration by him of divine service, as well as to “reading Prayers upon the Eves of Sundays and Holy days,” and “the Litany and other Prayers upon Wednesdays and Fridays,” and to toll the bell for Prayers upon Wednesdays and Fridays, as had hitherto been the practice, for which offence he was suspended from his ministrations

by our Ecclesiastical Court, but more effectually by his resignation and death, which took place shortly afterwards. But

“Soon their crude notions with each other fought;
The adverse sect deny’d what this had taught;
And he at length the amplest triumph gain’d,
Who contradicted what the last maintain’d.”

PRIOR.

Accordingly a few years later, the Rev. Benjamin Browne, the then Vicar of Masham, who was more orthodox in his doctrines and practices, was ejected from, and kept out of his vicarage for some twelve years by the Puritans, during which time his place was supplied by nonconforming ministers, who intruded themselves into his living. They, too, in their turn, were ejected soon after the Restoration, when Mr. Browne was restored to his living. The sentiment contained in the following couplet will commend itself to all right-thinking people, when placed in circumstances such as have here been described:

“To live uprightly then is sure the best,
To save ourselves, and not to damn the rest.”

DRYDEN.

During this unhappy and troublous period our Church was despoiled of its carved Rood Screen and Lattices, which till then separated the choir and side chapels from the nave*—of its Altar-rails, which, no doubt, were too ornamental for the puritanical taste of the times—its encaustic Tiles at the Communion Table—of its stained

* Dr. Whitaker, in his History of Richmondshire, in speaking of the destruction of the Rood Screen in our Church, thus characteristically expresses himself: “Highly as the neatness and exact repair of the Church are to be commended, it is still matter of regret that all the Screens and Lattices, which once separated the Choir and the Side Chapels from the nave, have been removed. In the breaking down of these fences, either to sanctity or to property, there is something extremely like the breaking down of all distinction between the different ranks of society, which is one of the worst, among many, bad symptoms of the age. A shield, bearing *argent* on a fess between three plain cotises, *gules*, as many *fleurs de lys*, was in a northern window in 1622.”

glass windows (fragments of which encaustic tiles and stained glass were found buried under the floor of the church during the late restorations)—of some of its brasses, sepulchral crosses, and other ornaments. Well may it be said,

“Arouse the tiger of Hyrcanian deserts,
Strive with the half-starved lion for his prey;
Lesser the risk, than rouse the slumbering fire
Of wild fanaticism.”

Thus it will be seen that the Church had to undergo its trials, as well as Sir Thomas Danby, the then Lord of Mashamshire. Whilst the Restoration put an end to the trials of the Church, death, about the same time, put an end to the sufferings of Sir Thomas, he having died in London on the 5th of August, 1660, when he was buried in the north choir in York Minster.

Thomas Danby (who was a captain in the Royal Army and the first mayor of Leeds) succeeded him in his estates. He did not, however, live long to enjoy them, having been slain before Leeds in 1667, when he was succeeded by his son Thomas Danby, who was a minor at the time. He too only lived some four years, when he was succeeded by his brother Christopher Danby, who, within two years afterwards, was killed by a fall from his horse, whilst hunting on Watlass moor.

By the death of all the three sons of Sir Thomas Danby, in such rapid succession, Mashamshire, in the year 1683, became vested in Sir Thomas's brother, Christopher Danby, Esq., as the heir-at-law of his last surviving nephew. He, however, in the same year granted Mashamshire to his eldest son, Sir Abstrupus Danby, Knt., who immediately entered into the possession and enjoyment of it.

Sir Abstrupus, very fortunately, was in the prime of life when he thus came into possession of the estate (being then thirty-two years of age) for it was then very much involved in debt, owing partly to the extravagance and bad management of some of his ancestors, and partly

to the heavy losses which his grandfather, Sir Thomas Danby, had sustained by the Civil Wars. Under such circumstances, there was great need of such a person as he proved himself to be, in order to put matters again on a proper footing. He, accordingly, proceeded to sell off the outlying and detached estates at Watlass, Thorp-Perrow, Scruton, and Driffild; and, with the money thus realised, paid off the outstanding debts and charges upon the lands in Mashamshire. He at the same time bought from Mr. Norton the remaining one-third* of the Manor of Swinton, together with the Mansion-house there; and thus becoming the sole owner of it, he changed the family residence or seat from Thorp-Perrow to Swinton. Such was the debt of gratitude which he thus earned for himself from his family, that on his death, they caused a very expensive and sumptuous monument to be erected to his memory in Masham church, on which they state, "God favouring him he was the Restorer of his Family"; which seems in their eyes, at least, to have been his only merit, for they do not in their inscription to his memory, ascribe any other to him, although he was as well entitled to an eulogistic epitaph as any of his successors.

Besides thus improving the family estates, Sir Abstrupus found time also to serve his country and the public, as all gentlemen possessing his means and abilities ought to do. He was an active Justice of the Peace, and Deputy Lieutenant for the North-Riding of Yorkshire; and in the year 1698, he represented the ancient Borough of Aldborough, near Boroughbridge, in Parliament. If however, we are to place any reliance upon the following couplet, which was written of him, it would seem he was not a very valiant man:

"Sir Abstrupus was a Knight:
Wore a sword, and would not fight."

Sir Abstrupus, however deficient he may have been in

* It will be seen that at page 109 *ante*, that the mother of Christopher Danby had previously bought two-thirds of the Manor of Swinton.

valour, does not appear to have been wanting in family pride, (which, by the way, is a very pardonable, if not a laudable weakness), if one may judge from the following inscription, which he had put at the foot of an engraving of Swinton Hall, he had engraved in the year 1723. It runs thus: "SWINTON HALL, the Seat of SIR ABSTRUPUS DANBY, Knt., one of ye Heirs general of the Lords Scroop of Masham and Upsal: and by marriages with the several houses of Wivel, Lord Latimer, and the Earl of Westmorland, is descended from John of Gaunt,



THE OLD HALL AT SWINTON, 1723.

Duke of Lancaster, fourth son to the most victorious Prince Edward the third King of England, &c." A truly noble descent certainly, and one of which Sir Abstrupus or any one else might well feel proud.

He married Judith the daughter of Abraham Moon, a merchant in London, and relict of William Davies, Esq., younger brother to Sir Thomas Davies, Lord Mayor of London; and dying on the 24th Decr. 1727, he was succeeded by his son ABSTRUPUS DANBY, Esq.

The following sketch from Sir Abstrupus Danby's Pedigree, will shew that he was perfectly justified in laying claim to the royal descent here mentioned:—

HENRY III., King of England—Eleanor, dau. and coheir of Raymond Berenger.

EDWARD I., King of England.—Eleanor, daughter of Ferdinand III., King of Castile. EDMUND Earl of Lancaster.—Blanche, Queen Dow. of Navarre.

EDWARD II., King of England.—Eleanor, daughter of Philip the Fair, King of France. HENRY, Earl of Lancaster.—Maud, daughter and heiress of Sir Patrick Chaworth.

EDWARD III., King of England.—Phillipa, daughter of William, Count of Hainault. Died 1369. LADY MARY PLANTAGENET.—Henry, 3rd Lord Percy, of Alnwick.

JOHN OF GAUNT, 4th son of King Edward III.—Catharine, widow of Sir Otho de Swinford, Knt., (his third wife.) HENRY, 4TH LORD PERCY, father of the renowned "Hotspur."—Maud, sister and heiress of Anthony Lord Lucy.

MAUD PERCY—John de Neville, 3rd Lord Neville, of Raby.

JOAN DE BEAUFORT (2nd wife).—RALPH NEVILLE, 1st Earl of Westmoreland.—Margaret, daughter of Hugh Earl of Stafford (1st wife).

GEORGE NEVILLE, 1st Lord Latimer.—Lady Elizabeth Beauchamp, daughter of Richard Earl of Warwick, the "King maker," whose daughter Anne married Richard III. John, died in the life time of his father.

SIR HENRY NEVILLE, who fell at the battle of Edgecot, near Banbury, in the life time of his father.—Joanna, dau. of Jn. Bourchier Lord Berners. RALPH, 2nd Earl of Westmoreland.—Elizabeth, dau. of Henry Lord Percy. JOHN

RICHARD, 2nd Lord Latimer, of Snape Castle.—Anne, daughter of Sir Humphrey Stafford, of Grafton. RALPH NEVILLE, 3rd Earl of Westmoreland.—Margaret, daughter of Sir Roger Booth, of Barton.

ELIZABETH.—Sir Christopher Danby, Knt., of Thorpe-Perrow. RALPH NEVILLE, 4th Earl of Westmoreland.—Lady Catharine Stafford, daughter of Edward Duke of Buckingham.

SIR THOMAS DANBY, Knt.—MARY, dau. of Ralph Neville, 4th Earl of Westmoreland.

THOMAS DANBY, ESQ.—Elizabeth, daughter of Thomas Wentworth, Esq.

CHRISTOPHER DANBY, ESQ.—Frances, d. of Ed. Parker Lord Morley and Monteagle.

SIR THOMAS DANBY, KNT.—Catharine Wandesford, of Kirklington.

CHRISTOPHER DANBY, ESQ.—Ann, daughter of Col. Edward Colepepper.

SIR ABSTRUPUS DANBY, KNT., 12th in direct descent from Edward III., King of England.

This Abstrupus Danby was of the mature age of forty-seven when he came to the family estates, and although he lived to enjoy them some twenty-three years, he was of such unassuming and retired habits that he took no part in public business, but lived for himself alone (as many country gentry do) without leaving any record in the page of history and still less in the scroll of fame, or any good deeds to perpetuate his memory, or shew that any such person had ever existed.

“What is a man,
If his chief good, and market of his time,
Be but to sleep, and feed? a beast, no more,
Sure, He, that made us with such large discourse,
Looking before, and after, gave us not
That capability and Godlike reason
To rust in us unused.”

SHAKSPERE.

In the month of January 1741, a contested election took place for the representation of the County of York in Parliament. The following extracts taken from the Poll Book on that occasion will furnish the names of the persons who were Freeholders within Mashamshire at that date.

Freeholders' Names.	Where Freeholds lye.	Place of Abode.	Candidate.
Thomas Banks	Masham	Masham	Chomley & } Turner. }
Joseph Calvert	Grewelthorpe ..	Masham	Turner.
Thomas Fownes* ..	Masham Parish .	Masham Parish .	Turner.
Christopher Gardiner	Masham	Masham	Turner.
Thomas Jackson	Masham Parish .	Masham	Turner.
John Lonsdale	Bellerby	Masham	Turner.
William Lupton	Skipton in Craven	Masham	Turner.
Matthew Metcalf† ..	Nidderdale	Masham	Turner.
William Thirkhill ..	Galwhay	Masham	Turner.
John Wrather	Masham	Masham	Turner.
Peter Young	Kirkby Malzeard	Masham	Turner.

* The Grandfather of Thomas and Solomon Fawnes of Fearby.

† The Schoolmaster of the Masham Free School, who appears to have voted in right of the land belonging to the School.

During the Scotch Rebellion of 1745, the good people of Mashamshire were thrown into a great state of trepidation and alarm by the report of a great victory which the young Pretender had gained over the English army (probably referring to the battle of Falkirk, which was fought on the 17th of January, 1746), and that the Scots' army were making rapid advances towards this neighbourhood. They all, thus panic-struck, with one accord, proceeded at once to bury and conceal the most valuable of their several goods and chattels, in the most extraordinary places, and in the most ludicrous manner: not forgetting at the same time to conceal their own precious persons in the best way they were able. After the danger was past, the many ridiculous scenes which the panic gave rise to, were much talked of, and were long remembered by the name of "Run-away-Wednesday."

Abstrupus Danby, Esq., the then Lord of Masham and Mashamshire, married Eliza the daughter of Arthur Ingram, Esq., of Barrowby, brother to Henry Lord Irwin; and, dying on the 12th of March, 1750, was succeeded in his estates by his eldest son, William Danby.

William Danby was a different person altogether to his father. He was a gentleman of great intelligence and good taste combined, with active business habits, talents which he brought into full play in the improvement of his vast estate, and the amelioration of the condition of the people upon it. He reclaimed and brought into profitable cultivation large tracts of the moor-lands, and also considerably improved his own private residence and pleasure grounds at Swinton, the latter of which he laid out with great judgment and good taste. His improvements altogether appear to have been such as to have attracted considerable attention at the time, and to have been the subject of much comment.

He was also a great benefactor to the charities of the town and parish of Masham, as well as to the Church, besides being the largest contributor to the establishing

and founding of the Grammar and Free Schools, in Masham, as will be seen hereafter when I come to treat of these charities.

About the year 1768, in consequence of the fame of his extensive improvements upon his estates, he was honoured with a visit from Arthur Young, the eminent agricultural author of that period, whose works, coupled with his Tour, gave such an impetus at the time to that science, and to the improvement generally of the large landed estates of this country. He has devoted several pages of his work, called his "Northern Tour," to noticing the state of agriculture at that time within this parish, and his remarks are so good and interesting that I am tempted, by way of elucidating the improvements then being effected by Mr. Danby, to copy from it very freely. In speaking of the course of husbandry pursued within this parish, he says: "Their courses of Husbandry are 1st, Fallow—2nd, Wheat—3rd, Beans. Another course is 1st, Fallow—2nd, Wheat—3rd, Turnips (which latter is the cart before the horse). For Wheat they plough four or five times—sow from nine to eleven pecks about Michaelmas, and reckon to average two and a half quarters. For Barley they plough three times, sow from ten to twelve pecks in April, and gain at a medium the same quantity as of Wheat. For Oats they give but one stirring, sow four and a half bushels in March, and reckon the mean crop at three quarters. They give but one earth for Beans, sow as much as of oats the end of February or the beginning of March, broadcast—never hoe—the crop two quarters. They plough but once for Peas, sow nine or ten pecks in March—the crop the same as of beans. For Turnips they give four ploughings, sow them the end of May or beginning of June—it is known amongst the farmers that such a practice as hoeing exists, and some of them begin to talk a little of it, but very few have practised it. The average value per acre is 2*l.* 10*s.* They plough once or twice for Rape, sow it at the end of July, never feed it—sow

Wheat after it—know nothing of Clover. Pay very little attention to raising large quantities of Manure—their principal dependence is upon Lime, of which they lay from one to two and a half chaldrons per acre. Good Grass lets from 20s. to 25s. per acre. The summer joist of a cow from 20s. to 25s. The annual expense of a Horse (including shoeing) they reckon at 7*l*. The summer joist is 45s., and that of winter 1s. 6*d*. per week. Poor-rates twopence to fivepence in the pound—at Masham tenpence. The employment, spinning of worsted: a woman earns, if industrious, sixpence or eightpence a day. All drink Tea.* Price of labour, &c.—In Harvest 26s. or 28s. and board and lodging. In Hay-time a mower 30s. a month and board and lodging—in Winter sixpence a day and board and lodging. Mowing grass two shillings per acre. First man's wages, 10*l*. to 13*l*.—next ditto 7*l*.—Boy of ten or twelve years, 3*l*.—Dairymaids, 5*l*.—other maids 3*l*. 10s. to 4*l*. 4s. Women per day in Harvest tenpence to one shilling—in Hay-time sevenpence to eightpence—in Winter sixpence. Price of Provisions, &c.—Cheese 2*d*., Butter 8*d*. the 22 ounces—Beef 3*d*., Mutton 3*d*., Veal 3*d*., Pork 3½*d*.—Milk one halfpenny the one and a half pint—Potatoes 3½*d*. the peck—Turnips 3*d*. ditto—Candles 6½*d*. the lb. Soap 7*d*. the lb. Labourer's House-rent 15s. to 40s. Firing 15s.”

Such is Mr. Young's general summary of the state and practice of agriculture, within this parish, nearly one hundred years ago. In a subsequent part of his work he has the following observations, having reference to Masham parish.

“One of Mr. Danby's tenants (Lightfoot by name) has shewn, in one or two instances, somewhat more attention to improvements than the general herd. He has cultivated Cabbages four years—winter fallows the land for them, and sets the rows three feet asunder, and the

* Tea was first brought into England in 1666, and was for some time generally sold for 60s. per pound.

plants 22 inches. He finds them, both in quantity and use, far beyond turnips: values all he has had at 6*l.* an acre. I asked him what he would take for the present year's crop of three acres, he replied he would not sell them at all. Could you take 10*l.* an acre? 'T is a deal of money replied he, but I would not part with them at all. An answer in the mouth of a common farmer, and that a little one too, after four year's experience, is decisive with me in respect to the value of Cabbages. But the object much the most worthy of attention in this country is the immense tract of moors which back it to the westward. Mr. Danby possesses several thousands of contiguous acres, which do not yield him a tenth part as many farthings a year.

He has a Colliery upon the edge of his moors which employs many hands. The cottages of the colliers are scattered about at no great distance. Each had at first a small garden, which from the great foresight and refined politics (for I can give the conduct no other name) of their landlord grew into little farms." He here adds in a note, "Great praise is here given to Mr. Danby for his judgment and kindness towards the miners, and after their own farms are in good cultivation, he encloses part of the moor for their use, which after some years they pay a trifling rent."

The best intelligence I gained was of *James Croft* one of the colliers. But this man deserves a more particular attention. Thirteen years ago he began his husbandry by taking in an acre of moor, which he pared and burnt, spread three chaldrons of lime among the ashes, and sowed it with oats, of which he got but an indifferent crop. He next threw in three more chaldrons, planted half of it with potatoes, and sowed the other half with maslin, the crop middling. He then limed it again, sowed it with oats, the crop thirty-five bushels. After another liming he sowed it with oats, and gained fifty bushels. Next he limed it again, and sowed half of it with barley, and planted the other half with potatoes,

the crops but indifferent. He then limed it again, and sowed oats once more of which he got forty bushels. With these oats he sowed hay-seeds, all he could get together or procure, which was thirty-six bushels. After the oats were off he mixed some lime and earth together and spread over the land. The grass came very finely and has been exceedingly good ever since, and improving every year, and it is now worth twenty shillings an acre. I viewed it attentively, and think it well worth that rent.

This first essay was very spirited, but not carried on upon principles which can be altogether approved of. Indeed it could not be expected that a poor collier should strike at once, and without any experience, into an accurate and correct husbandry.

His next effort was upon an addition of eight acres, which, however, were too much for him to improve at once, but he effected it all by degrees. Three acres were exceedingly stony, so that after a division by walls built out of them, many remained. One acre cost him two months to clear and fill up the holes. Some single stones required near a week. Laborious as the work was he completed by degrees, and pared and burnt the soil. He threw these lands into better husbandry (though not totally defensible) than what he used before. His method was to sow turnips upon the pared and burned land, after liming two chaldrons per acre, which costs by the time it is laid on the land 14s. 6d. a chaldron. The turnips are generally worth 20s. to 30s. an acre. He draws and scatters them on his grass for his cows and young cattle. After the turnips he ploughs four times, lays on two chaldrons per acre of lime, and sows oats, eight bushels per acre. The crop varies from forty to sixty bushels. After these oats he sows four more successive crops of them, for each of which he ploughs three or four times, and also limes at the rate of two chaldrons per acre. The average of these crops is forty-six bushels per acre. With the last he lays down to grass by sowing plenty of hay-seeds.

This has been his general course, but sometimes he has sown rye, of which he generally gets thirty-six bushels per acre. Potatoes he has regularly cultivated: sets them in rows two feet asunder, and one foot in the rows; in which manner thirteen bushels plant an acre. The mean produce is 158 bushels.

Two years ago he took in eight acres more, on which he is now hard at work. It is astonishing with what perseverance he attacks the most enormous stones, cutting them in pieces, carrying them away, and then bringing mould to fill the holes up, and he has such an idea of heather that he will not pass one. He has five acres of grass, his management of which is very good. He lays all the dung he can raise upon it, mixed well with lime, and sometimes with good earth; and this dressing he repeats every third year, without failing. His stock of cattle is three milch cows, a heifer, and a galloway: their winter food, hay, turnips, and straw. Two acres of commonly improved grass (from moors) he reckons sufficient to summer feed a cow, but an acre and a half of *his* will do. He makes six pounds of butter per cow per week, twenty-four ounces to the pound, for three months, and four pounds the rest of the summer. And each of his cows eat an acre of hay in the winter. He has not yet had enough of his own for them, buying some, but hopes soon to effect that.

Besides the mere husbandry of his fields, he has done something in the ornamental way, having almost surrounded two of his closes with a young plantation of firs and other trees, which thrive extremely well. Attentive to every object that can render the farm either profitable, convenient, or agreeable, he has with no slight trouble directed a little rill of water from the moors through his fields, by which means he not only has water in every field for his cattle, but can also water some of his grass, and thereby fertilize it much. Were I to dwell upon every circumstance of this collier's husbandry, I should be afraid of tediousness, but I shall not conclude without

attempting to give you some idea of the *man* as well as his farm.

I have shewn you how he has managed for several years above nine acres of land, much of it always in tillage, and some constantly fresh breaking up and improving. We have found him cropping his land several years successively (a practice though bad, yet of increasing labour) never sowing any without a previous ample liming, and three or four ploughings—adding to his cultivated land, by perfectly clearing the fresh soil from all stones, some of them of enormous size, of many tons weight, and by paring and burning in the most spirited and laborious manner. When you consider these circumstances, and that at the same time he has had the courage to attack eight acres more, will you not conclude that he has received much assistance, either of money or labour, or that many favourable circumstances hitherto unrelated, have enabled him to make such advances in so spirited a conduct? But the very contrary of all this is the case. His work in the colliery has been regular, equal in every respect to the other men, and in some superior. His hour of going to the mine is twelve o'clock at night, the work and time of meals are over at noon the next. The remainder is all he has had to perform what I can scarcely call less than wonders: nor has he ever received the least assistance of any kind, or ever expended one shilling in hiring the labour of another man. The quantity of lime he has laid on his land is very great, and much more than what is commonly used by the neighbouring farmers; the number of ploughings he has given his fields is equally superior; and yet all this labour has been performed with a single galloway, the lime brought six miles. It is astonishing what a spirit of perseverance must have actuated this extraordinary man, to execute with such slight engines, works that will put many farmers with teams to the blush. Some assistance in weeding potatoes, in harvest, &c., and such slight work he has received from his

family, but you may suppose it not considerable, when I tell you that of four or five children, he has only one son about fourteen years of age, who works with him constantly in the colliery. From the time of leaving off work in the mine till that of sleeping, he has regularly spent in unremitted labour in his farm; since his beginning he has never had more than four hours sleep, and of moon-light or star-light nights, seldom so much. The regular severe fatigue of the colliery has not been sufficient to bow down the spirit of this poor fellow. He applies the remainder of the day, and even steals from the night, to prosecute his favourite works of husbandry—that is, to make up his hours of work to twenty, out of the twenty-four. Such a conduct requires a genius of a peculiar cast—daring in his courage and spirited in his ideas; the most extensive plans are neither too vast, nor too complicated, to be embraced with facility, by his bold and comprehensive imagination; with a penetration that sees the remotest difficulty; a prudence and firmness of mind that removes every one the moment it is foreseen; we attribute the wonders he has performed to the powers of his mind, and almost forget that the whole which is executed of his ideas, has been the work of his own hands. The severest fatigue, the most assiduous labour, have been unable to quench the fire of the one, or repress the vigour of the other. The greatest, and indeed, the only object of his thoughts, is the improvement of the wilds that surround him, over which he casts an anxious but magnanimous eye, wishing for the freedom to attack, with his own hands, an enemy, the conquest of whom would yield laurels to a man of ample fortune. I asked him what he would do if he had his whole time to apply to his farm: “I could perform something,” said he, “at present I do nothing.” Hinting to him that I would mention to Mr. Danby the releasing him from the colliery, that all his time might be applied to farming, his countenance was animated at the very idea: his eyes sparkled with pleasure. Upon my

asking him further, if he did not think every part of the moors were highly susceptible of improvement: "Improvement, Sir!" he replied with eagerness, "there is not an acre but might be made as good land as a man would wish to farm." Upon my asking him further, if he thought he could improve a larger tract than was within the power of one pair of hands, by having men, horses and carts, &c., put under his direction? "Aye sure," he replied, "for it is nothing more than extending the proportion of ten acres to a great number. It would be hard indeed, Sir, if a man that had improved ten acres with his own hands, could not direct the improvement of one hundred, or a thousand." What would you do if any unthought of accident gave you an hundred pounds? "Lay it all out in improving land." I had a long conversation with him upon these subjects, and found him very sensible, spirited, and most enthusiastically devoted to the improving of moors. His ideas are clear and shining, and though his language is totally unrefined and provincial, insomuch that some attention is necessary to comprehend the plainest of his meaning; yet whoever will take the pains to examine him, will find him a genius in husbandry; a diamond of the first water, but so buried in the obscurity of the mine as to be scarcely distinguishable from the vulgar rubbish that surrounds it. The view of this remarkable man's little farm, and the conversation I had with him upon the improvement of moors, a point of such vast importance in this country, prejudiced me so much in his favour as to make me wish it were possible to enable him not only to add greatly to his farm, but to conduct the culture of it upon a spirited plan. I mentioned it to Mr. Danby (who had at first introduced me to him as an extraordinary fellow) and he agreed with me that his being a collier spoiled a good farmer, adding that he had thought of giving him more land, and also releasing him from the coal-mine. This gave me much pleasure, not doubting but so spirited a mind, with a body so active and

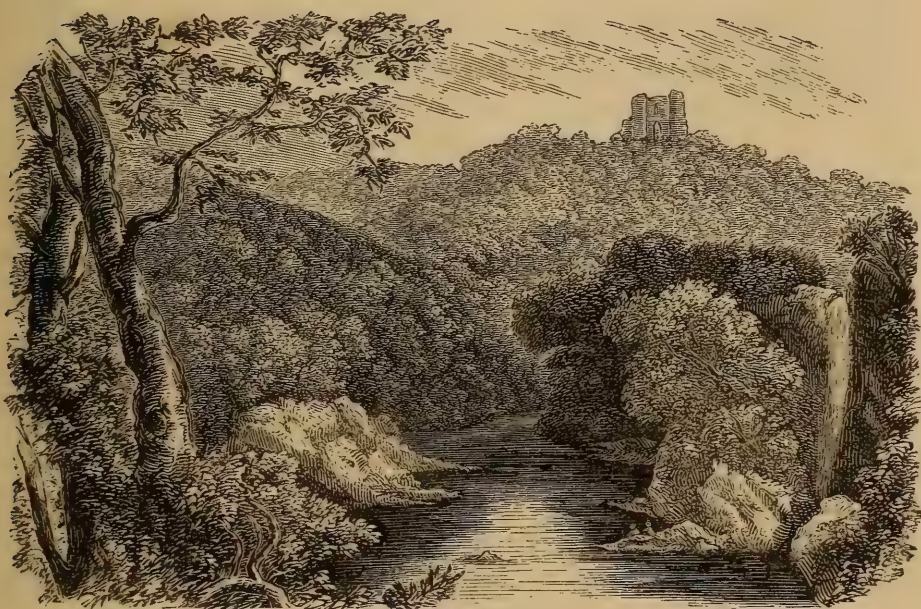
vigorous, would alone do wonders. I regret that the nation at large should lose the benefit that might be made to result from the labours of a genius in the most useful walk of all. While we viewed Croft's fields, Mr. Danby asked his steward, who was present, what he could let such grass as all Croft's at per acre. He replied, in quantities of any extent, at 15s. an acre, but in small parcels of twenty or thirty acres, at 20s.—an improvement which is astonishing, from land that was absolutely and wholly waste. But the goodness of it appears also from Croft's stock of cattle, and the quantity applied to feed a cow, which will be found not more perhaps than the medium quantity, through the cultivated counties of this whole Tour. It is from these circumstances evident enough, that this kind of moor land is amply capable of improvement, and that there is nothing in the nature of the soil which gives any reason to doubt of rendering it exceeding good land."

Again, in another part of his Northern Tour, alluding to this Parish, Mr. Young further says:

"The Roads which branch every way around Swinton are admirable, and owing entirely to the generosity and spirit of Mr. Danby. Through his own territory, which is very extensive, he makes them at his own expense, and in so excellent a manner, as to be superior to most Turnpike Roads; but the neighbouring roads he contributes largely to, and bribes the Parishes to seek their own good. By this uncommon spirit, he has either made, or greatly improved, above twenty miles of road: a noble example.

"The very excellent and worthy owner of Swinton has made that seat one of the pleasantest places in this country: he has surrounded the house with a most beautiful Park, finely wooded and watered, and has added Plantations and Pleasure-grounds, in a style of great propriety and taste. With much trouble and expense, he has brought several miles, a small but elegant stream, through his Gardens and Park, which in

some places breaks into very fine Lakes, in others contracts into the size of a little rill, which winds through the woods in a most pleasant manner; here falling into cascades, it enlivens the whole scene: there, withdraws from the eye, and hides itself in the dark bosom of tufted groves. The house is very convenient and elegantly furnished."



HACKFALL.

HACKFALL,* although not situate within the limits of Mashamshire, but in immediate contiguity to it, is a

* The late Mr. GEORGE CUITT, who was many years a respected inhabitant of Masham (where he died), and was a great admirer of the beautiful in nature, as well as an artist of the highest order, says in his "Wanderings and Pencillings amongst Ruins of Olden Times," in speaking of HACKFALL, "It is situated in Hags', or Witches' Vale, whence its name of 'Hags-Vale' has by corruption assumed its present orthography. There is no situation, indeed, which could be more appropriately peopled by the superstitious fancy of the olden time with witches, demons, and fairies than this deep, sequestered, gloomy vale: nor indeed, even in the beautiful country in which it is situated, in which nature and art are so exquisitely blended, that the eye cannot discern the line which separates them, can a spot be found more delightful to the lover of romantic scenery."

place of such interest to the good people of Masham and its many visitors, I am induced to transcribe Mr. Young's description of it, and insert it in this place, rather than attempt an account of it of my own in another place.

Mr. Young says, "HACKFALL, seven miles from Studley and only two from Swinton, is laid out in a different style. Greatly worth the trouble of any traveller's going many miles out of his way to view it. Entering the woods from Swinton, the first point of view we came to was a little white building by way of a seat: on the point of a round projecting hill, you look down upon a rapid stream through scattered trees which fringe the slope—the effect is fine. To the right is an opening among the trees, which lets in a most beautiful view of a range of hanging woods which unite to form a hollow. Behind, through another opening in the adjoining trees, you look down upon a bend of the river: Masham steeple, and a part of the town appearing over some wood that hangs to the water—nothing can be more sweetly picturesque, for the spot whereon the building stands being shaded with trees, the brightness of the sheet of water has the effect of a natural clear obscure, and the buildings seeming to rise from branches of wood hanging on the stream, adds greatly to the beauty of the scene: a white house, a little on one side, is an object which improves the landscape. Another view from this spot is to the left, a curve of the river, under a bank of hanging wood, scarred with rocks. From hence the Riding* winds on the banks of the river, and passing a dropping spring, rises up some slopes to an open octagon bench, from hence the views are truly elegant. To the right you look upon a bold shrubby hill, which has an air of grandeur that is striking. There is a building by way of object, raised upon it, that is

* The Yore here forms the boundary line between the North and West Ridings of Yorkshire.



PART OF A SAXON CROSS, FOUND IN A WALL
NEAR MASHAM CHURCH.

See p. 430.



SCENE IN HACKFALL.

P. 152.

called an arch, or a ruin, almost hanging over a dell of wood, the river peeping at one spot in a pleasing manner, and the murmur over the rocks in its bed, fills the ear, and gives room for the imagination to play—one instance, among others, how much ideal pictures are raised by the noise of a river foaming among Rocks, but hid by wood: the steeps and torrents receive a heightening from the fancy which would be half-dissipated by viewing the reality. To the left a bend of the river is seen fringed with hanging woods, and above them distant prospects. Winding from this spot through the grove, we came next to a rustic stone temple by the side of a basin with a stump of a *jet d'eau* in the middle of it. It is in a small area, a hollow in the hanging woods, retired and naturally beautiful. A little gushing fall of water from the bank into the basin is picturesque and worthy of an unguous meandering course over moss and pebbles. An opening in the front of this spot lets in a view of a scar of rocks in the middle of a bank of wood. Walking round the circular lawn, an opening on the left displays a most glorious hollow of hanging groves, on one side of which is seen the white seat first mentioned. This view is very noble. A little further you catch a fine circular hill of wood, and the shore of the river which winds at its feet: it has a magnificent appearance. Advancing through a winding walk you come to a Grotto, from which the scene is beautifully picturesque. You look aslant upon a natural cascade, which falls in gradual sheets above forty feet in the midst of hanging wood; it is quite surrounded by the trees, and seems to gush forth by enchantment. The water is clear and transparent, and throws a moving lustre to the eye unexpressibly elegant. The motion of it pleases, not only from its genuine beauty, but from the peculiar happiness of the situation, viewed from a woody retired spot, which contrasts so well the brilliancy of the object. But those touches of reality which exceed the utmost efforts of painting, thicken upon us:

for leaving this agreeable spot we presently come to another, from whence you see a beautiful natural cascade gushing, to all appearance out of a cavern in the rock, overhung with thick wood, and falling from one crag to another till it loses itself among the adjoining woods. You move next to a bench, where you are again entertained by the same cascade viewed in a different direction, with the addition of its trickling at your feet over the grass, beautifully scattered with trees. Through them, in front, is a fine opening over a hollow of hanging woods. To the right, you look down through another natural opening among the trees, and catch the river rushing rapidly over the rocks. Nothing can exceed the taste, variety, and beauty of this landscape. Following the winding course of the walk we come to Fisher's Hall, a small octagon room built of a petrified substance upon a little swelling hill in the midst of a hollow, surrounded by a vast amphitheatre of hanging woods. Thus is the outline of the picture, which is in itself fine, but the filling up of the canvas adds a colouring more than equal to that of painting. Excuse the describing, and always remember that I offer description but to induce a friend to fly to that entertainment which I have found so pleasing. The little hill on which this building is placed is covered with a thicket of trees, which makes the whole picturesque. The river gives a bend at your feet, embanked by hanging woods: the white building first mentioned peeping from among them in one spot, and a fine scar of rock in another. Under the seat the stream is rapid, raging over rocks, and winding away under walls of them covered with hills of wood. To the right of these objects the other hills appear in a fine style, one in particular, covered with shrubby wood, projects in a magnificent sweep that cannot but strike the spectator with awe. All the surrounding ones appear from hence in fine waves, rearing thin woody tops, one beyond another in a style truly great. Besides these objects which partake so much of the sublime,

here are others of genuine and native beauty. From one side of this building, you have a most pleasing prospect, consisting of two cascades divided by a projected grove of trees. That to the right pours down from one cleft of the rock to another for a considerable space, admirably overhung with the spreading branches of the adjoining thick wood, which rises in sweeps around it, gloomy with the brownness of the shade, and contrasting the transparent brightness of the water. The other cascade likewise falls down an irregular bed of rock, but not in such strong breaks as the former; it is seen in the bosom of a fine wood which fringes a rising hill upon the top of which is a building. Winding from this inimitable scene down to the river side, and following it, we come to a romantic spot under a range of impending rocks, with shrubby wood growing out of their clefts, and a few goats brouzing on their very edges. You look back on the preceding scenes which in general appear like a fine hollow of surrounding woods. Fisher's Hall, a beautiful little hill, the building crowned with a tuft of trees. Pursuing the road a little further (though without the bounds of the ornamented grounds) you rise with the hill, and have a view of the river broken into three sheets of water, divided by scattered woods and the banks ornamented by a straggling Village: between the hills a distant prospect is seen. Returning, we took the walk that leads by Fisher's Hall and winds up the hill to the left. The first point you come to is a bench overhung with trees, from which, at your feet, you look down upon a beautiful cascade gushing out of a rock under a thicket of trees: exquisite. And to the right, at a little distance, another, but different: this scene is sequestered, and will naturally tempt the spectator to stop to admire the wild, but pleasing beauties of the spot. The walk winds up the hill by the side of a continued cascade, the water falling in small sheets from rock to rock in a majestic style: on one side a thick wood, and on the other a rocky bank fringed with

shrubs. This leads to Kent's seat and above, from which the landscape is in the pure style of ornamented nature. If you suppose art to appear it is the *simplex munditus* of design. In front, at the distance of a few yards, is a double cascade, the water gushes from a dark spot, half rock, half wood, and falling on a bed of the former, has but a short course before it falls a second time into the rill before mentioned, which winds over a bed of stone at your feet. These parts of the scenery are surrounded by a little amphitheatre of thick wood, and form, upon the whole, a most beautiful picture. It may not be admired by those who are fond of only the *great*, but to such as are pleased with the soft tints of nature's pencil, this landscape will yield pure enjoyment. Nor is this all, for turning your eye a little to the left, you catch through a small, and to appearance, natural opening in the trees, a view of a scoop of hanging woods, and beyond a distant prospect, one of the most complete bird's-eye landscapes in the world. Continuing this walk you mount to the top of the hill, and there arrive at a spot called Mowbray-point. The building (called the ruin) has a little area before it, from which you command a prodigious prospect. You look directly down on a fine winding valley, the river appearing in different sheets of water, and the roar of its rapidity heard distinctly, though so far beneath. This valley bends round a projecting promontory of high land, the hanging banks of which, like all the others, are covered with thick plantations, forming upon the whole a most glorious hollow of pending woods. At the bottom, besides the river, you see Fisher's Hall in a very picturesque situation, and at the top of the opposite projecting hill, a pasture so truly elegant as to decorate the whole scene. The distant prospect has a great variety: to the right, it is unbounded except by the horizon: in front, you look upon the extent of Hambleton Hills at the distance of about twenty miles: and to the left you have inclosures distinctly seen for many miles. The whole vale before

you is finely scattered with towns, villages, churches, seats, &c. York Minster is seen distinctly at the distance of more than thirty miles—Roseberry Topping in Cleveland, as far, another way. In front you view the Scar in Hambledon Hills called the “White Mare”; the town of Thirsk, almost under it, and Northallerton to the right. In the building are two neatly furnished rooms—one for dining, and the other by way of drawing room.

“It was not without regret that I took my leave of Swinton and its most worthy owner: it is a family in which polite cheerfulness, and a manly urbanity both please and instruct.”

It should always be remembered in reading these very lucid descriptions of Mr. Young, that they were written by him about the year 1768, or nearly one hundred years ago, and that many very great changes have taken place within the Parish since that date.

About fourteen years after Mr. Young’s visit, another, but less distinguished Tourist, (a Mr. Bray) paid a visit to Masham, and accordingly makes mention of it in his “Tour of Yorkshire” which he published shortly afterwards. From that Tourist, we get another glimpse of the state and condition of the place from another point of view. He says, “From Hackfall it is three miles to a little town called Masham, the Market-place of which is uncommonly spacious, built on three sides, but the houses so low and mean, that it has the appearance of a deserted place. The church is at the end of the fourth side, remarkably neat.”

He afterwards goes on to say that “Mr. Danby’s improvements of the Moors, which lie behind his house in immense tracts, is so observable, and so worthy of imitation, that too much cannot be said of them. He has a Colliery, which employs many hands, and the Cottages of the Workmen are scattered about on the moors. Some years ago he gave leave to the cottagers to inclose a field contiguous to their gardens, that they

might, if industrious, raise their own corn. A few examples had great effects, and now there is not a collier without a little farm of from four to twenty acres, on which he keeps a cow or two, and raises corn. The hours of work in the colliery are few, and leave sufficient time for the cultivation of this land. This scheme has introduced a spirit of industry, in lieu of the idleness which used to prevail after the work of the coal-pits was finished for the day, and fixes the men, who before this, on the least disgust, used to run from one colliery to another."

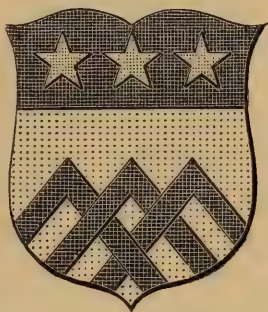
I cannot, however, but think that there is some exaggeration in Mr. Bray's description of the town of Masham, as to its low and mean houses; at the same time it reminds me of a very graphic description which I once heard the late William Terry give of the houses in Masham, as they were in olden time, in narrating one of the many traditions* of the place, of which he alone seems to have been the grand repertory. According to one of these traditions, many of the houses were low, thatched buildings, with their eaves nearly reaching to the ground, whilst their ridges—which were constructed of green turf—mounted up to a very great height, so that the sheep (which were then shewn at the September fairs, and were much wilder and more active on the leg than such as are now shewn) used to take bounds, and leap and run upon the roofs of the houses, and gambol about upon them in such a very extraordinary manner as to present quite a spectacle to the gaping beholders below, and not a little bewilderment to their no less noisy canine companions.

Mr. Danby married Mary the daughter of Gilbert

* Another of William Terry's traditions was, that Cardinal Wolsey, when making his ostentatious Progresses into the North, used to stay all night in Masham, and to be lodged and entertained in the old Court-house there, being the house now occupied by Mr. Thomas Pullen, coachbuilder, and the property of the Master and Fellows of Trinity College, Cambridge, as formerly belonging to the Prebend of Masham.

Affleck, Esq., of Dalham Hall in the county of Sussex, the ancestor of the present Baronet of that name. He died on the 8th of April, 1781, leaving his eldest son (the late William Danby, Esq.) his successor to the estates.

WILLIAM DANBY, Esq., the last of the ancient family of the Danbys, was in his twenty-ninth year, when he thus came into possession of his patrimonial Estates, and being blessed with considerable natural talents, which he inherited from both his parents, he proceeded at once to direct the whole energies of his vigorous mind to the carrying out of his father's projects for the improvement of his wide demesnes, a task, which it will be seen, he accomplished in an eminent degree.



Very soon after coming to his estates, viz. in the year 1784, he was honoured with the office of High Sheriff of his native county. It so happened, that in consequence of the then state of parties in the Commons House of Parliament, the treaty of peace which had just then been signed at the conclusion of the long, but unsuccessful war which this country had been engaged in with America (by which the United States then first acquired their independence)—a change of ministry and a dissolution of Parliament—and the turmoils of an election for so extensive a county as Yorkshire in the midst of a fierce agitation for Parliamentary reform—the duties of his office as High Sheriff, were not only exceedingly onerous, but made his position one of great delicacy and responsibility, as will be seen by the following notices, calling county meetings, which were issued by Mr. Danby as High Sheriff, viz :

“ Having received a Requisition signed by upwards of one hundred respectable Freeholders of the County, wherein they state, ‘That they had observed with great concern the unhappy disputes in Parliament, fomented by party, and agitated with such violence as not only to interrupt the national business, but also to endanger the true principles of the constitution,’

and therefore requesting me to call a General County Meeting, for the purpose of addressing the Throne on the present alarming aspect of public affairs. In compliance with such requisition, I do hereby appoint a Meeting of the Freeholders of this County, to be held at the Castle of York, on Thursday the 25th of March next ensuing, at ten o'clock in the forenoon.

WILLIAM DANBY,

York, Feb. 26, 1784.

Sheriff."

A general County Meeting was accordingly held at York Castle at the time named in the above notice, which was presided over by Mr. Danby as the High Sheriff of the County. At this meeting the following address to the throne was agreed upon, apparently after much warm altercation and discussion, as well as a division.

"To the King's most excellent Majesty:

May it please your Majesty, we, your Majesty's dutiful and loyal subjects, the Freeholders of the County of York, alarmed at the present distracted state of public affairs, beg leave to approach your throne with assurances of our unfeigned and zealous attachment to your Majesty's person and government.

Convinced that the very existence of our excellent constitution depends on the preservation of the due balance of power wisely placed in the different branches of the legislature, we declare ourselves equally solicitous to maintain the legal prerogatives of the crown, and the just privileges of the two Houses of Parliament.

We cannot too strongly reprobate the late attempt to seize the property and violate all the chartered rights of the East India Company, the enormous patronage of which would have produced an influence equally destructive of the prerogative of the Crown and the liberties of the people.

To remove Ministers who made such an attempt, we deem to be a just exertion of your Majesty's prerogative, and under the peculiar circumstances of the case, we think your Majesty acted with equal justice by retaining your present Ministers, until an appeal to your people could be made. Imperfect as such an appeal to the constituent body must ever be, under the present manifold defects of our national Representation, we still conceive the calling of a new Parliament to be the only true constitutional measure which your Majesty in your royal wisdom can adopt to settle the present differences between the several branches of the Legislature."

The meeting having adopted the above Address to the Throne, it was also agreed, that it should be signed by Mr. Danby, the High Sheriff, as the act of the meeting,

and that he should also be requested to present such address to the King. An unanimous vote of thanks was also passed to Mr. Danby as High Sheriff for his impartial conduct in the business of the day.

On the following day another, but a private, meeting of the principal gentry of the County, was held at the York Tavern, at which the following resolution was passed:

“Resolved, that Sir R. D. Hildyard, Sir Christopher Sykes, Mr. Buck, Mr. Peirse, and Mr. R. S. Milnes, be deputed to wait upon the High Sheriff, to request him, in the name of this assembly, to call a meeting of the Freeholders of the County of York, to consider of two proper persons to represent them in the ensuing Parliament.”

The Deputation having waited upon the High Sheriff with the above resolution, he immediately issued the following notice:

“To the Freeholders of the County of York.”

Gentlemen,

The above Requisition having been presented to me by the Gentlemen deputed for that purpose, I do hereby appoint a General Meeting of the Freeholders of the County of York, to be held at the Castle of York, on Friday next, the 2nd day of April, 1784, at ten of the clock in the forenoon, to consider of two proper persons to represent you in the ensuing Parliament, as I have this day received the Writ for a new election, which will be on the 7th day of the same month.

Given under my hand, this 27th day of March, 1784.

WILLIAM DANBY, Sheriff.”

A County Meeting accordingly took place, at which four candidates were put in nomination to represent the county in Parliament, viz., Francis Ferrand Foljambe, Esq., William Weddell, Esq., Henry Duncombe, Esq., and William Wilberforce, Esq. On a show of hands, however, being taken, the High Sheriff declared it to be in the favour of Duncombe and Wilberforce. On the evening before the election, which was fixed for the 7th April, Foljambe and Weddell declined going to the poll, and thus a hotly contested county election (which had been fully expected) was avoided, to the great delight of the High Sheriff.

It is needless to say, that Mr. Danby, during the remainder of his year of office, discharged the duties of the Shrievalty in as liberal and as satisfactory a manner as he had thus begun. His tenantry also discharged, in a very creditable manner, the duties then imposed upon the tenantry of the High Sheriff, of attending at the opening of the commission at each assize, well mounted, (on saddles the gift of the High Sheriff,) to form the cavalcade, which then always went to meet his Majesty's Judges of Assizes on their entering the City of York. For many a long year afterwards, these trips to York, the pageantry of the Shrievalty of their "Squire," and their own personal doings and wonderful achievements on these occasions, formed the theme of the conversation of the old tenant-farmers of Mashamshire, when over their pipes and glasses. But alas! there is not one of them now left—Squire and tenants alike have all passed away, and now lie mouldering in the dust.

In the year 1790, Mr. Danby obtained from Parliament "An Act for dividing and inclosing part of the Moors and Wastes within the Manor of Masham and Mashamshire, in the North Riding of the County of York;" and being thus armed, he immediately set himself to work, in effecting the inclosure of large tracts of his extensive moor-lands. By a judicious sub-division of such inclosures into convenient allotments—the planting and careful rearing of a great number of plantations, in places and situations the best adapted for shelter, laying out and constructing commodious roads, and by skilful management generally—he not only succeeded in bringing the inclosures into a profitable state of cultivation, but long before the close of his long and useful life, he had the great pleasure and satisfaction of seeing the whole face of that district of country assume a decidedly improved appearance, and lands, which had before been a drear and barren waste, become fruitful fields of grain.

Extensive as these improvements were, and much as they must have occupied Mr. Danby's attention, he found

time also to direct his attention to other improvements of another and different description, viz., the enlargement and improvement of his mansion, his park, and his pleasure-grounds at Swinton.

As to the mansion itself—when he first came into the possession of the estate, he found the mansion in much the same condition as it had been left by his great-grandfather, Sir Abstrupus Danby, and as is represented in the drawing of it given at page 138. It was very much like what the old manor-houses formerly were, viz., very plain, and without having any pretensions whatever to architectural design, or correct principles of ornamentation. It covered but a very small space of ground, and was three stories in height, with an unsightly turret window peeping out of its roof to give light to the attics. It presented altogether the appearance of that very useful, but homely article, the “tea caddy,” which was, in truth, the name by which it was really designated.

Such being the state and condition of Swinton Hall at that time, those who were at all acquainted with the cultivated and refined taste of Mr. Danby, will not be surprised to find that he was not well satisfied with it as a residence, and that he determined to build for himself, either an entirely new one, or to materially enlarge and improve the external appearance of the old one. His first thoughts were, to build a new mansion somewhere near to the site of the present farm-house belonging to the Low-Maines Farm. Had he carried out this, his original design, he would certainly have selected for it the most charming situation within the parish, and one capable of giving full scope to his superior skill and fertile genius in such matters, in the laying out of the grounds around it, so as to take due advantage of the rich woodland scenery which everywhere presents itself in that locality, the extensive natural sheet of water, the Marfield Pond, as well as the silvery waters of the Yore, which there washes its verdant banks, and meanders down the valley beneath. It is highly probable, too, that in select-

ing that site for his baronial residence, he would have chosen the very place which some ancient Lord of the Manor had, several hundreds of years before him, selected for the site of his baronial residence, or manor-house. The names of the High and Low-Maines are derived from the word "demesnes," or "demain," which means, lands held by the Lord of the Manor in his own hands, and not let out to tenants; and as such, when found thus applied to a place, always gives one the idea that the place has at some early period been the residence of the great Lord of the place. He would also have selected the immediate vicinity of an old Roman road, and an ancient nunnery, the latter of which, in all probability, stood many hundreds of years ago, at a place still called by the name of "Nunneries," which adjoins Marfield, where some old foundations were dug up many years ago, when making the old Hemp Mill, and where the stone coffins (to be hereafter mentioned) were subsequently found, as well as a remarkable Well, dedicated to Saint Clement. Mr. Danby, however (although he retained to the latest period of his life, a strong partiality and predilection to the Low-Maines, as a very eligible and admirable site for a residence, and as such very frequently visited it) in the end abandoned the idea of removing his residence from Swinton, and determined upon reconstructing and modernising his old seat, which had for a length of time been the peaceful abode of his forefathers, and thus possessed charms and old associations, which another could not by any possibility either possess or acquire.

Accordingly, about the year 1790, he commenced building an extensive wing to his old mansion, being all that portion of the hall, and range of rooms and offices, extending towards the North, in which the present servants' hall and other household offices, are now to be found; and in the year 1813, he added to it another extensive wing, thereby forming the fine suite of rooms facing the South, and terminating in a Museum, the





P. 165.

SWINTON PARK.

depository of a valuable collection of minerals, fossils, and many other productions of nature, as well as some valuable reliques of antiquity found within the parish. In the centre of this suite of rooms (which is from a design of James Wyatt, Esq.) is the drawing-room, a noble apartment; and in the years 1821, 1822, 1823, and 1824, he erected a massive tower towards the East, and other castellated additions, in the Norman style of architecture, from the designs of Robert Lugar, Esq.; these contain, together with numerous family rooms, an elegant Library, forty-two feet in length, and a spacious entrance-hall. A Western tower completes the *coup d'œil* of the South front.

Among the internal decorations will be found (for a private collection) an extensive Gallery of good Pictures, by Reubens, Salvator Rosa, Guercino, Snyders, Sir Joshua Reynolds, and Ibbotson, Richard Metcalfe and George Cuitt (our own native artists), and others of known celebrity, as also a valuable collection of books.

The following is a catalogue of some of the principal Pictures, arranged in order as they are to be found in the several rooms.

In the Library.

SUBJECT.	ARTIST.
The Hard Bargain—Pandits, scholar of Rembrandt.	
Landscape—Salvator Rosa.	
Ditto Ditto.	
Kite and Fowls—Snyders, Frans.	
Landscape and Waterfall in Norway—Everdingen, Aldert Van.	
Boors at Play, &c., A Dutch Interior—Bega.	
Landscape—Ferg, Paul Francis.	
Travellers refreshing—Barentz, a scholar of Wouvermans.	
Neapolitan Gamblers—Francesco Solimine, called L'Abate Ciccio.	
A Road-side Inn—Barentz, a scholar of Wouvermans.	
The Village Doctor, A Neapolitan Group—Francesco Solimine, called L'Abate Ciccio.	
A Berger on Horseback—P. Wouvermans.	
Landscape—Ferg, Paul Francis.	
St. John—Sir Joshua Reynolds.	
Landscape—J. Wynants.	
An Interior, Scouring Kettles—Zorg, Hy.	

- A Calm on the Coast—Cuypp, Albert.
 A Breeze—Bonaventura, Peters.
 Sea-side, with Horses, &c.—Theodore Stoop.
 Head of Himself—Annibal Caracci.
 The Repast—D. Ryckarrt.
 Head of an Old Man (a study)—Sir Joshua Reynolds.
 Three Boys' Heads—Sebastion Bourdon.
 Eleazar, the Steward of Abraham, giving the Bracelet to Rebecca—Sebastion Bourdon.
 Portrait of Shakespere—Unknown.
 Abraham and his Family on their Journey [Qy., Jacob)—John Victor, or Fictoor.
 Portrait of Count Zulestein—Ferdinand Bol.
 Infant Moses—Sir Joshua Reynolds.
 Portrait of Charles II. when a boy—Vandyke, Sir Anthony.
 Landscape—Claude de Loraine.
 A View in Holland, Canal, Bridge, &c.—Francis Decker.
 A Moonlight Scene, View in Holland—Arnold, Vander Neer.
 View of Caves in a Rock—Loutherbourg, Philip James De.
 View of a Lime-kiln, &c.—Ditto.
 Small Drawing-room.
 Landscape, Moonlight—Pether.
 The Virgin, Infant Child, and St. John—Sir Joshua Reynolds.
 A Cabin, Sunset effect, The Rhine, in Holland—Van der Capella.
 Portrait of Sir Nicholas Bacon, Lord Keeper—Sir Antonio Moor.
 Unknown Portrait—Mar in de Vos.
 The Vision of Mary Magdalen—Poelemburg, Cornelius.
 The Mountebank, or Quack Doctor—Ferg, Paul Francis.
 Interior of a Cathedral—Scholar of Steenwyck.
 Cattle in a Landscape—Paul Potter, and Herman Swanevelt.
 Lady washing her hands—Gerard Terberg.
 Children at play—after Vandyk.
 The Young Gamesters (the original in the Queen's collection)—Miss Cropley, from Le Nain.
 Horse and Groom, Ferry, &c.—Forr, P. (1783.)
 Holy Family—Cooregio, Antonio Allegri da.
 Portrait of Sir Abstrupus Danby (on copper)—Sir Godfrey Kneller.
 Portrait of a Divine—Vander Helst Barto.
 St. John the Evangelist—Raffaelle Sazio da Urbino.
 Grand Canal, Venice, and Church of Madonna della Salute—Canaletti, Antonio
 Infant Christ sleeping—Murillo, Bartolome.
 Portrait of Himself—Carlo Dolci.
 Portrait of his Son—Cuypp, Albert.
 Landscape—Gasper Poussin.
 Ditto Ditto.

- Landscape, in manner of Claude—T. Hofland.
 Holy Family, S. George, and Female Saint—after Reubens.
 The Five Senses—Rothenhamer, John.
 Portrait—after Rembrandt.
 Ditto Ditto.
 Rocks, &c., in Quarry-gill, Swinton Park—T. Hofland.
 Flowers, &c., with a Centre, Madonna and Child—Seghers Vandyk.
 View in Holland—Van Goyen, John.
 Girl with Tablets—Clarke, of Naples, from Schedoni.
 Windermere Lake, Calgarth, &c.—T. Hofland.
 Landscape and Children—Julius Cæsar Ibbotson.
 Ditto Ditto.
 Landscape—Boudewyns, Nicholas.
 Landscape—Claude Galeè dit de Loraine.
 The First Purchase—Collins, William.
 Landscape, a Warm Day—L. Van Bos.
 Virgin and Child—Giulio Romano.
 The Banks of a Lake or River—Salvator Rosa.
 Ullswater Lake—T. Hofland.
 Cupid with a Vase—Clarke, of Naples, from Schedoni.
 Holy Family—Sebastian Burdon.
 The Dead Christ—after Guercino, by Evans.
 The Ferry—Collins, William.
 Battle Scene—Borgognone.
 Landscape—Boudewyns.
 Cattle, &c.—Flemish School.
 View near Rome, Monte Caro—Denys, 1789.
 Landscape, round—Artois, Jacques.
 Head of Madonna—Carlo Maratti.
 Horse at Ford or Ferry ditto
 A Calm, vessel saluting, cloudy effect—Van de Velde, Wm. the younger.
 Head of an Old Woman—Rembrandt, Van Rhyn.
 Study of a Head—J. Slater.
 Landscape, with cattle drinking, &c.—Brenghel, John.
 Cattle, &c.—Flemish School.
 View of the Lake of Albano—Denys, 1789.
 Landscape, round—Artois, Jacques.
 Drawing-room.
 Farm Yard, Horses, &c.—George Morland.
 Child sleeping, inscription, “Ego dormio, sed cor meum vigittit”—after
 Vaccari, by S. Clarke, Naples, 1740.
 Portrait of a Burgomaster’s Wife—Philip de Koning.
 Landscape, with cattle—Duroy.
 Overture and Duet—Verkolie, John.
 Landscape, with cattle—Duroy.
 Scene in Holland, Evening—Van de Neer.

- Landscape—Moncheron.
 Boys bartering—Le Nain.
 Madonna della Rosa—James Stella.
 Ascension of Virgin—Carlo Maratti.
 Imogen and Pisanio Cymbelin—H. Singleton, 1818.
 Head of a Magdalen—Elizabeth Siram, of Bologna.
 The Seven Charities—Van Helmont.
 His own Portrait—Francesco Albani.
 View of Tivoli, &c.—Domenichino.
 View of Dort (Dordrecht)—S. Ruysdael.
 River Scene in Holland—J. Van Goyen.
 Boors regaling—Senave, after Ostade.
 Hagar and Ishmael with Angel, in the Desert—Francesco Mola.
 Charity—Guercino.
 Portrait of the Marquis of Granby—Sir Joshua Reynolds.
 The Lady at her toilette—Luca Giordano.
 A Lady at work—Maas Arnold.
 Horses and figures, a group—Wouvermans, Ph.
 Landscape, with goats—Wynants and Berghem.
 A Child with flowers—Sir Joshua Reynolds.
 The Cascade at Tivoli, &c.—Vernett, Joseph.
 Boors playing at nine pins—David Teniers.
 The Village Sports—David Teniers.
 Waterscape—John Van Goyen.
 Child with a cat—Sir Joshua Reynolds.
 Children at play—Murillo, Bartolome Estevan.
 Lady with a marten cat (in the Royal Collection at Naples)—after Parmegiano, by S. Clarke, 1790.
 The Holy Family (Ditto)—after Raphael, by S. Clarke.
 Charity (Ditto)—after Albano, by S. Clarke.
 Landscape, with an avenue—J. Weenix.
 Italian Landscape—Gasper Poussin.
 The Dead Christ and Angels—Ludovico Caracci.
 Landscape—Van de Velt, Adrian.
 Isaac, Rebecca, and Jacob—School of Rembrandt.
 Interior of Dort Church—J. Van Nikkelen.
 The Virgin, Christ, and St. John (in the Royal Collection at Naples)—after Raphael, by S. Clarke.
 Charity (Ditto)—after Schedoni, by S. Clarke, 1790.
 The English Sailor (Ditto)—after Van Dyk, by Ditto, 1790.
 Virgin and Child, a saint adoring—School of Caracci.
 A Maritime Port, &c.—Claude Gelee, dit de Loraine.
 Landscape—John Van Huysum.
 Interior of Church at Antwerp—Peter Neef.
 The Ferry—Isaac Ostade.
 Winter Scene on the Rhine, in Holland—J. Brenghel.

Head of Lear (a study)—Sir Joshua Reynolds.
 Children at play—Murillo, Bartoleme Estevan.

Dining-room.

Portrait of Mrs. Danby Vernon Harcourt—Briggs.
 An Archduke of Austria—Reubens.
 An Archduchess of Austria—Ditto.
 Portrait of the Rev. William Holwell Carr—Evans, copy from Jackson.
 Mary Countess Harcourt—after Sir Joshua Reynolds.
 William Danby, Esq., in 1825—Jackson, R.A.
 William Danby, Esq., in 1770, obiit 1781, æt. 69—Dance.
 Mary, his wife, daughter of Gilbert Affleck, Esq., obiit 1773—Angelica Kauffman
 Sir Abstrupus Danby, Knt., obiit 1727—School of Sir Peter Lely.
 Abstrupus Danby, Esq., their son, obiit 1750., æt. 70—Ditto
 Portrait of an Academician—Frank Hals.
 George Nassau Earl of Cowper—Zoffany.
 Sir Robert Danby, Knt., Lord C. J. of the K. B., obiit 1472—Unknown.
 Thomas Wentworth First Earl of Strafford—after Vandyke.

West Tower Room.

A Moonlight Scene—Pether.
 The Descent from the Cross, a carving in ivory, Italian—Daniel de Volterra.
 The Coast of Weymouth—Luny.
 Market-place at Middleham—Julius Cæsar Ibbotson.
 View in Dartmouth Harbour—Luny.
 Lake Scene—Richard Metcalfe.
 Seaside View, with horses, &c.—Theodore Stoop.
 A Train of Horses—Agasse.
 Child with flowers—Sir Joshua Reynolds.

Billiard Room and Staircase.

Distant View of Masham and the Swinton Moors—George Cuitt.
 An Interior; scene, a cottage at Masham—Julius Cæsar Ibbotson.
 Lake Windermere Ditto
 Town of Masham, with Mashamshire Volunteers Ditto.
 Lake Ullswater Ditto.
 The Woodcutters—Reinagle
 View on the Home Lake, Swinton Park—Julius Cæsar Ibbotson.
 Landscape, with cattle and figures—Rysbrack and Van Blommen.
 Dead Game—Ferguson
 Swinton Moors, scene at Arnagill—Julius Cæsar Ibbotson.
 Cottage Interior, Masham Ditto.
 The Root-house, Swinton pleasure grounds Ditto.
 Cows and a Herdsman—Reinagle.
 Mary Magdalen—Reubens.

A Panther—Pietro at Rome, 1789.
 A Tiger Ditto.
 A Terrier—Reinagle.
 The Market-place at Middleham—Julius Cæsar Ibbotson.

The Hall, &c.

Portrait of Setter—Agasse.
 Portrait of a Mastiff—Halfpenny, of York.
 Cupid reclining (original in the Royal Collection at Naples)—after Schedoni, by S. Clarke, Naples, 1790.
 View in Borrodale Eagle Craggs—Julius Cæsar Ibbotson.
 Hen and Chickens—Pietro, Rome, 1789.
 Portraits of Sally and Rover—Denys, Rome, 1789.
 Landscape, composition—N. Berghem.
 A Lake Scene—Julius Cæsar Ibbotson.
 Waterfall and Lake—Scholar of Brughel.
 An Island, with Waterfowl—Ditto.
 Christ delivering the Keys to St. Peter—after Reubens.
 Craig Millar Castle—Julius Cæsar Ibbotson.
 The Well at Masham Ditto.
 Cattle, &c., crossing a Ford—N. Berchem.
 Cupids, with a donkey—Nicol Poussin.
 A Jewish Rabbi—after Rembrandt.
 Milking Cows—Julius Cæsar Ibbotson.
 The Broom Seller, Swinton village—Julius Cæsar Ibbotson.
 A Peasant Girl—William Collins.
 Unknown Portrait—Holbein.
 Boy with a Lantern—after Gerard Dow.
 Utoeles and the Lion—Agasse.
 A Snow Scene—Richard Metcalfe.
 A Lake Scene Ditto.
 Landscape and figures Ditto.
 Rock Scene, distant landscape—Ditto.
 The Swinton Archery Meeting.—Ditto.
 Group of Flowers in a vase—John Baptiste Mounoyer
 View of Storth Water, Swinton Park—A Swiss Artist (in body colours).

In the Passages, &c.

William Danby, Esq.—Chamberlain.
 Mary, his wife, daughter of Gilbert Affleck, Esq.—Chamberlain.
 Mary, their daughter, afterwards Countess Harcourt—Chamberlain.
 Arthur Danby, Esq. (brother of W. Danby, Esq.) Ditto.
 Abstrupus Danby, Esq. (brother of W. Danby, Esq.) Ditto.
 Miss Elizabeth Danby, only child of the above Abstrupus Danby, Esq.
 She died unmarried, 1768.—Unknown.
 William Danby, Esq.—Opie.

Sir Abstrupus Danby, Knt., obiit 1727 (oval)—Unknown.
 Francelia, sister to ditto Ditto.
 Portrait of William Danby, Esq.—Hamilton (in crayons).
 Abstrupus Danby, Esq, when a boy—Unknown.
 Portrait of Catharine, daughter of John Danby, Esq., of Middleham—Do.
 Portrait of Sir Thomas Danby, Knt.—J. Carleton, 1635.
 Portrait of his Wife, Catharine, daughter of the Lord Deputy Wandersford—J. Carleton, 1635.
 Portrait of their Child—Ditto.

In the Housekeeper's Room.

Portrait of the two Brothers, the late Billy and Tommy Beckwith, the well-known blacksmiths at Masham—James D. Hay.

In the Bath-room.

North-east View of Fountains Abbey—Julius Cæsar Ibbotson.
 South-west Ditto Ditto Ditto.
 A Train of Horses—Agasse.

Amongst these pictures, it will be seen, there are many family portraits, which to the eye of an historian, (and especially to a local one like myself, who has been long studying the characters there portrayed) present an ample field for reflection:—

“For, by dim lights, the portraits of the dead
 Have something ghastly, desolate, and dread.
 . . . Their buried locks still wave
 Along the canvas; their eyes flash like dreams
 On ours, as stars within some dusky cave;
 But death is imaged in their shadowy beams.”

As, however, I cannot dwell to particularize them, much less to enter into a minute description of them, I therefore proceed with my history.

Mr. Danby, besides effecting the several improvements before described, considerably extended the Park and Pleasure-grounds, so as to take within their range that rugged and romantic ravine, Quarry-gill, with the foaming waters of the Eller rushing impetuously on in its winding course at the bottom of the deep glen, dashing from rock to rock until it empties itself into the Bourne a little below the bridge.

“Nature here
Wantons as in her prime, and plays at will
Her virgin fancies,
Wild above rule or art.”

And

“Hollowly here, the gushing water sounds
With a mysterious voice ; and one might pause
Upon its echoes till it seemed a noise
Of fathomless wilds where man had never walked.”

At this spot, and upon another massive rustic bridge,
which receives the roaring cataract of the Falls of the



QUARRY-GILL BRIDGE.

Eller just described, Mr. Danby erected a magnificent bridge of polished stone, consisting of three pointed arches seventy feet in height, surmounted with ornamental parapet walls, in the form of a rustic broken battlement, so as to span and connect the two opposite

sides of the Gill. The construction of this bridge was a very formidable undertaking; much more so, indeed, than would appear at first sight, in consequence of so much of its massive masonry being hid from the eye. It was completed in the year 1822, and occupied eleven years in the building of it, having, as I have been told by Mrs. Danby Harcourt, cost Mr. Danby £11,000 in its construction.

Besides stocking the Park with a number of beautiful deer, he also formed additional lakes, and reconstructed or remodelled the existing ones, so as to make them present a more romantic and picturesque appearance than they had even hitherto done, and to produce more varied and striking contrasts in the scenery. Near to and in sight of the mansion, and its mossy lawn, he preserved the verdant banks of the Home Lake, with its still, clear, silvery waters, skirted at intervals with evergreens, on which

“ The swan, with arched neck,
Between her white wings mantling, proudly rows
Her state with oary feet,”

surrounded by the deer browsing in the extensive park, thus presenting an appearance of stillness and repose, in the midst of a wide and extended prospect of the surrounding country, commanding a picturesque view of the Hambleton Hills and the rich vale of York in the distance; whilst on approaching the Great Lake, the more secluded Storth Water, and finally the romantic Quarry-gill, wild and forest-like scenery, in all its ruggedness and nakedness, is made to burst on the eye. This he effected, in a great measure, by the peculiar formation of the lakes themselves, studded as they are with islands presenting wild and rugged banks, with bold projecting rocks (constructed of immense masses of stone brought thither for the purpose, at great labour and expense, from the neighbouring moors) and overhanging trees, with here and there cascades falling over pending rocks, and rustic bridges constructed of huge rough

stones apparently thrown together as if by accident, rather than design—the whole being closely hemmed in and darkened by thickly wooded plantations of forest trees, so as to overhang and shut out of view all surrounding objects. These, with the quiet stillness of the place, and the absence of all sounds except the gurgling of the waterfalls, and the warblings of the feathered inhabitants of the woods, produce on the mind a deep sense of solitude and seclusion, with, at the same time, a feeling of awe and admiration—a feeling which continues to increase upon us, until we reach Quarry-gill itself.

The tourist having thus by devious paths reached Quarry-gill, he then climbs up, as well as he can, one side of the ravine, when he reaches a small rustic structure, in the shape of a niche, which bears this inscription:—
“THIS SEAT, OVERLOOKING SOME OF THE BEAUTIFUL WORKS OF THE CREATOR, WAS BUILT WITH A GRATEFUL MIND BY WILLIAM DANBY, ESQ., A.D. 1832,” and possesses the additional interest of its being the last work which Mr. Danby did in the way of improvements. From this point he will have an extensive panoramic view of the vast expanse of country which there presents itself before him, extending from the Western moorlands of Mashamshire on the one hand, to the rich vale of Mowbray and the range of Howardian hills on the other, with the Bourne running rippling along its pebbled bank at the bottom of the deep valley beneath. The undulating character of the country—the winding of the Bourne in its course down the valley—and the ever-varying tints and hues of the great diversity of timber trees, and especially the plantations of Scotch firs, larch, and the spruce, in endless variety and in rich and luxuriant foliage, which crown the acclivities, as well as clothe the banks of the river, render the scene not only exceedingly picturesque, but truly magnificent and imposing. Here

“Cultured slopes,
Wild tracts of forest ground, and scatter’d groves,

And mountains bare, or clothed with ancient woods,
Surround us"——

And

"Here groves arranged in various order rise,
And bend their quivering summits to the skies :
The regal oak, high o'er the circling shade,
Exalts the hoary honours of his head ;
The spreading ash a different green displays,
And the smooth asp in soothing whispers plays :
The fir, that blooms in Spring's eternal prime,
The spiry poplar, and the stately lime.
Here moss-clad walks, and lawns of lively green,
United form one nicely-varying scene :
The varying scene still charms the attentive sight,
Or brown with shades, or opening into light."



VIEW IN ARNAGILL.

I may, however, truly say, what has already been said upon the subject by an abler pen than mine, that "it is

difficult, by description, to do justice to the beauties which are here developed, as the visitor wanders through the ever-varying and enchanting scenery of the park and grounds belonging to this delightful residence. Art has been here so judiciously brought to the assistance of, and is so blended with nature, that it can nowhere be detected as intrusive."

" Here might contemplation imp
Her eagle plumes! The poet here might hold
Sweet converse with the muse! The curious sage,
Who comments on great nature's ample tome,
Might find that volume here; for here are caves,
Where rise those gurgling rills, that sing the song
Which contemplation loves. Here shadowy glades,
Where, through the tremulous foliage, darts the ray
That gilds the poet's day-dream!"

Although the natural bent of Mr. Danby's mind and disposition was ever towards peace, and the peaceful arts, it will be seen presently that when the necessity arose for it, he was not only ready but willing to draw the sword in defence of his country. It will be remembered that during the French war, in which this country was unfortunately involved, the great Napoleon not only threatened to invade England, but actually took steps for carrying his threat into execution. Such, too, was his confidence of success, that he actually had medals struck (by way of anticipation), to commemorate the event. This threat of invasion so aroused the spirit of the country, that Volunteer corps were raised throughout the length and breadth of the land, for the defence of their homes. The men of Mashamshire, whose ancestors had fought and shed their blood on many a battle-field in their country's cause, were not by any means the last to come forward and enrol themselves amongst the defenders of their country, having for their leaders Mr. Danby and Timothy Hutton, Esq., of Clifton Castle. Within the parish of Masham alone, such was the spirit which then actuated the people, that they raised a corps of upwards of 100 men, and each man not only provided at his own

cost his own uniform, but also his accoutrements (a fact which ought to put the present generation to the blush). Neither were they the less spirited in their endeavours to learn their exercise, and to fit themselves for active service in the field should such be required. In the year 1804, the Mashamshire Volunteers, as well as the Loyal Dales, and other Volunteer corps in this neighbourhood, were called up for permanent duty at Richmond. The call was cheerfully responded to by both officers and men, by their leaving their homes and their business at their country's call, and for their country's weal, and devoting themselves for several days to learning the battalion exercise.

I have reason to know that the time of the stay of the Volunteers in Richmond was a very profitable one to the fair "practicers at the bar" of the several inns of the ancient borough of Richmond! Often did those places re-echo to "The Song of the Mashamshire Volunteers," to the tune "With a Rodney we will go," sung *con voce fortissimo et fuoco*.

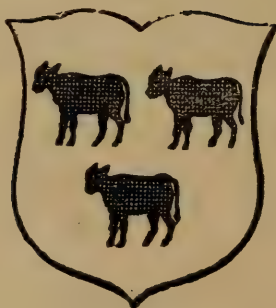
"We Volunteers of Masham, our clothing is of red,
 And if we meet the Frenchmen we'll make them us to dread;
 Our clothing is of red, my boys, and turned up with black,
 But if we meet those French boys we'll make their bones to crack.
 And with Danby we will go, will go,
 With Danby we will go;
 For Hutton is a soldier's friend,
 And that we all do know." &c., &c., &c.

Big words are these, certainly; and they were very shortly afterwards *almost* put to the test, and weighed in the balance, and *not* found wanting, as will be seen presently.

Immediately after the assembly of the Volunteers at Richmond, it was discovered that the Dales lads (or Havre-cake-lads, as they were called,) had been so long accustomed to hearing themselves called by nicknames, that they had actually forgotten the names which "their Godfathers and Godmothers had given to them in bap-

tism," and were consequently unable to answer to their names when called from the muster-roll of the Regiment, and that the greatest confusion was caused on account of it. To remedy this evil, the Commandant of the Regiment was obliged to have a new muster-roll made, framed so as to give the names of the men in a manner that was intelligible to the men themselves. Accordingly, the following names are to be found in the muster-rolls (as amended) of the companies of the Loyal Dales Volunteers, which were under the command of Captain Metcalfe* and Captain Stewart on that occasion.

	Thomas Alderson,	Grain Tom.
..	..	Glowremour Tom.
..	..	Poddish Tom.
..	..	Tarry Tom.
..	..	Tish Tom.
..	..	Tripy Tom.
..	..	Trooper Tom.
Assy Will Bill.		Butter Geordie.
Ayny Jack.		Bowlaway.
Aygill Tom Bill.		Brownsa Jossy.
Becka Jack.		Cis Will.
Brag Tom.		Cotty Joe.
Bullet.		Codgy.
Bullock Jammie.		Cwoaty Jack.
Buck Reuben.		Curly.



METCALFE.

* The Metcalfes were very numerous in the Dales, as well as in Mashamshire. It is recorded that in 1556, Sir Christopher Metcalfe, being High Sheriff of Yorkshire, met the Judges of Assize, attended by three hundred horsemen, all of his own family and name, mounted on white horses, and clad in uniform habits.

Dicky Tom Johnny.	Mark Jammie Joss.
Docken Jammie.	Moor Close Gwodie.
Dant.	Nettlebed Anty.
Freestane Jack.	Peter Tom Willy.
Gudgeon Tom.	Peed Jack.
Hed Jack.	Piper Ralph.
John Hird, Awd John.	Pullan Will.
.. .. Young John.	Robert Will Peg Sam.
.. .. Jain's Jack.	Rive-Rags.
.. .. Mary Jack.	Skeb-Symy.
.. .. King Jack.	Slipe.
Katy Tom Alick.	Slodder.
Kitty Puke Jock.	Swinny.
Kanah Bill.	Spletmeat.
Knocky Gwordie.	Strudgeon Will.
Lollock Ann Will.	Tash.
Matty Jwoan Ned.	Tazzy Will.

It must have been exceedingly amusing to a stranger to hear the muster-rolls called on parade, and one can hardly imagine the strictest disciplinarian of a sergeant calling out "Rive-Rags," or "Skeb-Symy," without breaking out into a laugh, subversive of all ideas of the gravity of authority. Nicknames, however, such as these, were not by any means uncommon at this time, even in our own parish, and amongst our own Volunteers.

The Mashamshire Volunteers were a fine body of men. The town and parish were then in a very flourishing condition, and plenty of money was astir, so that the men were thriving, and in high spirits, and being proud of Mr. Danby and Mr. Hutton as their Captains and leaders (a feeling which was as heartily reciprocated by those very worthy gentlemen), hence their great success. As long as Masham stands, it will ever be a matter of congratulation and pride, that at such a crisis, such a body of men, and so efficient, should have been raised in it for the defence of their common country when threatened by a foreign foe.

Early one morning, the people of Masham were aroused by the ringing of the bells, the beat of drums, and the call, "To arms—to arms." News ran like wildfire that

the Beacon-fires were lit up, and that the French were coming. Presently Mr. Danby and Mr. Hutton were seen bustling about the town, and the men under arms and in marching order. The baggage waggons were got ready as by a magic spell, and all were soon on march towards the eastern coast, ready to give the enemy a meeting on his attempting a landing on our shores. Great was the consternation which prevailed in Masham on that memorable morning. It would be a very easy task to indulge in a little fine sentimental writing on the sayings and doings of "sweethearts and wives" on that occasion, but it would be ungenerous, nay, unmanly and wrong, thus to attempt to cast ridicule upon the gentle sex when placed under such trying circumstances. They only obeyed the promptings of their finer nature and susceptibilities, which it would have been unnatural in them to have resisted. The men, however, acted nobly and heroically, and bravely responded to the call of duty, every man in the corps falling into the ranks, and marching away, resolved "to do or die" in his country's cause, still not forgetting "the lass he left behind him."

The gallant fellows, however, on reaching Thirsk, discovered that there was no enemy for them to face, the Beacon-fires having been lit up by mistake, the Warden of the Beacon on Penhill having mistaken an accidental fire on the eastern hills for the Beacon on Roseberry-Topping. A halt was therefore called, to enable the men to obtain some refreshment before returning home again. Unfortunately the apostles of temperance had not at that day set out on their disinterested and philanthropic mission, and the mad fanaticism and excesses of the Puritans (which had produced a revulsion of feeling amongst the people) had by this time degenerated into a perfect indifference to all religion whatever, and its ministrations into a barren formality, so that it was not then considered a reproach to a man, and still less to a gentleman, to indulge too freely in intoxicating drinks. This license which the spirit of the times gave them, was on this

occasion, I am sorry to say, carried to its fullest extent by the men of Mashamshire. They managed, however, to return to their respective homes with whole skins, and, if not crowned with laurels, with unsullied honour, to the great relief of "the sweethearts and wives" aforesaid.

The Mashamshire Volunteers were not alone in being thus deceived by the lighting-up of the Beacon-fires. The Loyal Dales Volunteers were also in like manner, and under like circumstances, mustered, and were under arms some hours before the mistake was discovered, when they were also dismissed to their homes.

Tidings of the gallant conduct thus displayed by the Mashamshire, and the Loyal Dales Volunteers, having attracted the attention of Parliament, Sir Henry Mildmay, on the 11th July, 1806, in moving pursuant to notice, a vote of thanks to the Volunteers generally (as reported in the Parliamentary Debates of the House of Commons of that date), called the attention of the house to the merits, the services, the zeal and perseverance of the Volunteers of the United Kingdom, and said he had no hesitation in saying that it was the full conviction on his mind, that it was to them that the country was indebted for its security when threatened by invasion. Besides the general ardour which gentlemen from every county might bear testimony to, there were some particular instances of their promptitude and alacrity in the course of the last year. On an alarm of invasion on the coasts of Yorkshire, the Volunteers of the neighbouring districts (referring especially to the Mashamshire and the Dales Volunteers) pressed forward, with that ardour and zeal which the country had a right to expect from them, &c., &c.; and concluded by moving "That this House doth thankfully acknowledge, and highly approve of, the different corps of Yeomanry and Volunteers of the United Kingdom; and doth think it necessary to record its decided opinion, that the due encouragement of the zeal and patriotism which the Yeomanry and Volunteers have so eminently displayed in the main-

tenance of their establishment, and the preservation of their discipline, would contribute, in an essential degree, to the defence and internal security of the country." This motion, having been seconded by Mr. Dent, was, after some discussion, carried. A similar resolution was also carried in the House of Lords.

At the conclusion of peace, the Mashamshire corps was broken up, when Mr. Danby, with a liberality which was highly creditable to him, gave up the muskets, which he had bought with his own money for the men, to be sold and the money to be applied for the benefit of the Free School at Masham. The amount thus realised by their sale, together with £100 added to it by him, was afterwards invested in the purchase of £232 2s. 6d., three-and-a-half per cent. Consols, for the use of the schoolmaster, who, as such, has received the interest of it to this day as a part of his annual stipend. If this was not a beating of swords into ploughshares, it was even better, for it was a turning of weapons designed and intended for the destruction of their fellow-men, into instruments for the imparting of instruction to the rising generation, in the arts of peace, virtue, and religion.

I would here pause for a moment to allude to a circumstance which at this time occurred, and very injuriously affected the prosperity and well-being of the town of Masham. I refer to the total destruction by fire of the mill at Burton, which had existed there as a corn-mill, a worsted-mill, and a flax-mill, from the time of Roger de Mowbray.* This untoward event occurred on Friday, the 1st of December, 1820—the fire, which was accidental, having been first discovered about three o'clock that afternoon. The effect of this fire was to throw a great number of hands out of work, and for awhile to affect the trade of the place. The mill, however, was shortly afterwards rebuilt upon a more extensive scale, and

* See *ante* p. 44, where allusion is made to the grant by Roger de Mowbray to John, son of Drin, who had liberty to make this mill, and to fasten a stagnum or mill-pool.

afforded employment for a great number of workmen for many years, viz., until about the year 1841 or 1842, when it ceased to be worked, and was shortly afterwards pulled down to the ground.

This unfortunate occurrence was followed shortly afterwards by a very great flood of the River Yore, which happened on the 2nd of February, 1822, and not only did great damage to Masham bridge, but caused great destruction to a vast amount of property. There had not been such a flood since the 2nd of February, 1722-23 (a period of exactly ninety years) when the bridges at Masham and Tanfield were broken down by it, as stated at page 63 *ante*.

But to return to my account of Mr. Danby, whom I left immediately after the disbanding of the old Mashamshire Volunteers.

Mr. Danby was throughout his long life a great benefactor to the town and parish of Masham. He did much from time to time towards the restoration and improvement of the Church. He paid nearly the whole expense of repairing the steeple on its being blown down by a great wind; also of the erection of the galleries in the church. He was at the sole expense of the organ, and of the endowment of £30 a-year to be paid to the organist. He also (with the assistance of £450 contributed for the purpose by the late Mr. Wm. Heslington, a retired tradesman of Masham) built the School and schoolmaster's house at Kell-bank, and endowed it with its present stipend for the master. Besides which his contributions to both public and private charities were without bound or stint. Their full extent, however, is unknown, for he did good as it were by stealth.

Besides possessing these good and amiable qualities, he was at once an accomplished scholar, and the gentleman—his mind being richly stored with the best classic literature, he was ever ready with an apt quotation from the best and most approved authors, on any subject which might chance to arise in the course of conversa-

tion. When pointing out to his visitors his choice collection of paintings and works of art (in which he took great delight) his descriptions of them were not only most lucid, but, at the same time, evinced the taste and judgment of a well-informed connoisseur. His knowledge of the sciences, of geology, and mineralogy, as displayed in his descriptions of the many specimens he had collected together in his well-stored museum, was, for the age in which he lived, extensive. He also possessed a thorough knowledge of the "divine art of music," and was well acquainted with its many intricacies, and the laws of thorough-bass and counterpoint. His musical library contained the works of the most eminent masters, as well as a choice collection of classical concerted music. He possessed a complete set of well-toned stringed instruments by the most approved makers, for the use of himself and such of his musical friends who were in the habit of visiting him. He was an excellent performer on the violoncello, on which he played with exquisite taste and sound judgment. Possessing such a taste, it was, as might well be conceived, his greatest pleasure and delight to get around him such friends as could take their parts, and acquit themselves with credit, in a concerted piece of music. In such society, and so employed, he verily revelled, and, what is still better, he loved to see others enjoy themselves as well as himself.

Besides being the author of several fugitive pieces of literature, he wrote and published the following works, the titles of which I give from the catalogue of them in the British Museum.

1.—Thoughts chiefly on serious subjects, 8vo. Exeter, 1821.

2.—Thoughts chiefly on serious subjects, with remarks on "Lacon," [By C. C. Cotton]. Second edition with additions, 2 vols., 8vo. Exeter, 1822.

3.—Ideas and Realities, or thoughts on various subjects, 8vo. Exeter, 1827.

4.—Extracts from, and Observations on, Cicero's

Dialogues *de Senectute* and *de amicitia*, and a Translation of his *Somnium Scipionis*, with Notes by W. D., etc. 1829, 8vo.

5.—The *Somnium Scipionis* of Cicero, and an English Translation of it with Notes, etc., by W. D., 8vo. 1829.

6.—Thoughts on various subjects, 8vo. London, 1831.

7.—Extracts from, and Observations on, Cicero's Dialogues *de Senectute*, &c., by W. D., 8vo. 1832.

I cannot conclude this account of Mr. Danby's life better, than by quoting the concluding portion of the inscription inscribed upon the monument erected to his memory in Masham Church. It says that "He united considerable natural talents with various and elegant accomplishments, and whilst he devoted much leisure to the study and imitation of eminent writers in many languages, the BOOK which he best loved to study was the great BOOK OF NATURE, wherein he clearly read, and with a thankful heart acknowledged, the power and goodness of its AUTHOR. Thus endowed with the best gifts and qualities of this world, he forgot not the things pertaining to his Salvation, and the life of the world to come. And as he descended into the vale of years, and drew nearer and nearer to his God, he was enlightened with clearer views of Divine love; and amidst the sinkings of decaying nature he placed his firm, though trembling, trust in the cross of his REDEEMER."

He died on the 4th of December, 1833, in the 82nd year of his age, and was buried in the family burial-vault in Masham Church on the 13th of the same month, when he was followed to the grave by the tears of a numerous and devoted tenantry, and especially of the poor, to whom he had ever been a kind and sympathising friend.

O fairest pattern to a falling age,
Whose public virtue knew no party rage:
Whose private name all titles recommend,
The pious son, fond husband, faithful friend.

In manners plain; in sense alone refined :
Good without show, and without weakness kind.
To reason's equal dictates ever true ;
Calm to resolve, and constant to pursue ;
In life with every social grace adorned,
In death, by friendship, honour, virtue, mourned.

—POPE.

He was succeeded in his estates by his widow, Anne Holwell Danby, now (1863) the wife of Admiral Octavius Vernon Harcourt, to whom he devised them by his Will for her life.

This brings me to the most difficult, as it is the most delicate part of my task, for it is ever a most difficult and delicate thing for an author to write an account of the doings of living persons. I would not willingly do an injustice to the present owners of Mashamshire, by withholding anything which may redound to their credit, and for which they are justly entitled to receive the homage due from a grateful people: at the same time I owe it to my own character not to indulge in any comments or observations, which may subject me even to the suspicion of being guilty of an attempt at flattery, or as it is more significantly termed, "toadyism," a thing which I from my heart do utterly abominate. In order to avoid this, it is my intention to confine myself as much as possible to a plain statement of facts only, and to leave my readers to form their own conclusions upon them.

Under ordinary circumstances, when an estate falls to a tenant for life, as it was in this instance, it is to be expected that a person placed in such a position, and having no further interest in the estate, than for his or her own life, will do as little as possible for the improvement of the property, the advancement of the prosperity of the place, or the interests of its inhabitants. If, however, such expectations were ever formed as to this parish, they have been far from being realised. Had the present possessors of the estate been the owners of the fee simple itself, and been able to have handed it down to a member of their own family, they could not well

have done more for it than they have done. The interest they have ever taken in the parish, and in the welfare of the people in it, could not have been greater than it has been, as has been proved by their unbounded liberality to all its institutions and charities ever since they came into possession of the estate. Nay more, whenever it shall please the Almighty to call them hence, they will leave behind them substantial proofs of their connection with the parish, and the interest they have taken in it, in the shape of a handsome new Church and parsonage at Healey; in twelve almshouses, and a school and school-house at Masham; all of which they have not only built, but liberally and amply endowed; besides having contributed very largely to the restoration and beautifying of the church, and the improvement of both the grammar and free-schools.

Admiral Harcourt (the present Lord of Mashamshire) was a younger son of Dr. Edward Vernon, late Archbishop of York, who took the surname of Harcourt by Royal sign manual, in January, 1831, on his coming to the estates of the last Earl Harcourt. The Admiral was born on the 26th of December, 1793, and when very young adopted the naval service for his profession. Owing to the lengthened peace which then happily prevailed, he never had an opportunity of distinguishing himself in naval enterprises; he, however, served his country not the less faithfully and efficiently, in surveying the coasts of California, and in other similar peaceful pursuits. On the 22nd of February, 1838, he married Mrs. Danby, the then Lady of the Manor of Masham and Mashamshire, when he came to reside at Swinton Park. Very soon afterwards he was placed on the commission of the peace for both the North and the West Ridings of Yorkshire, and then became an active magistrate for this district, and so continued until the year 1856, when he was overtaken by his present sickness. In his magisterial capacity, he was remarkable for great painstaking, and for evincing considerable tact and dis-

cernment in arriving at the truth, in the several cases brought before him; and when called upon to put into execution the correctional arm of the law, he ever tempered mercy with justice.

In the year 1848 he was appointed to the office of High Sheriff of the County of York, when I had the honour of acting as his Deputy Sheriff, Seal-keeper, and County-clerk. He discharged the duties of his office in a highly satisfactory manner, fully maintaining the dignity of the office by his gentlemanly bearing, and a liberal hospitality. The duties of the Shrievalty were,



REMAINS OF THE OLD CHAPEL AT HIGH BURTON (DESTROYED SOME YEARS AGO).

however, unusually light during his year of office, and the pageantry and show on the occasions of the High Sheriff going to meet the Judges of Assize, which had existed in the late Mr. Danby's time, had, in the meantime, been materially reduced by dispensing with the attendance on those occasions, of the High Sheriff's tenantry to form the cavalcade. Still, however, there was scope and verge enough left in order to make, not only a very respectable but imposing display, an oppor-

tunity which was not by any means neglected, so that his Shrievalty did not suffer by its being contrasted with that of any other High Sheriff in modern times.

I have already alluded more than once, to the building, by Admiral and Mrs. Danby Harcourt, of the Church at Healey; I mention it again in order, not only to give the reasons which prompted them to it, but also, for the purpose of giving a description of the Church, and of its consecration. Previous to the Reformation,



ST. PAUL'S CHURCH, HEALEY, NEAR MASHAM.

the western portion of this parish had the opportunity of hearing divine service at the chapels which then existed at Leighton, Ellington, and Fearby, whilst such as lived on the opposite side of the river, could hear mass at the chapels at Aldborough-Grange, Low Burton, and High Burton. The dissolution of the Monasteries however, amongst other evils, swept these and other chapels away, so that the people were unable to

attend any place of worship, except the Parish Church, which laid at a considerable distance from many parts of this wide parish. The consequence was, that many of the parishioners were either unable to attend a place of worship at all, or were driven to attend the chapels of the Dissenters, which were brought to their very doors. It was in order to remedy this evil, that they determined upon the building of Healey Church.

The design of the church is from the pencil of E. B. Lamb, Esq., of 26, Charlotte Street, Portland Place, London, a gentleman of some eminence as an architect, and the author of a very excellent Treatise on Architecture. The church is of the Gothic style of architecture, of the decorative character, having a small lantern in the centre, and a well proportioned spire, which produce a very good effect, and form a very beautiful and interesting object in the surrounding landscape. It is admirably adapted to its situation, standing as it does upon an eminence commanding a view of a richly wooded and fertile vale below.

The design of the church is thus spoken of in the "Athenæum" of the 16th of May, 1846, on the occasion of its being first exhibited at the Royal Academy in London. "It is a meritorious exception from the office and drawing-board school of architecture on the one hand, and the ultra-rigid precedent school on the other. It reproaches many of the noble newspaper paraded churches whose praises seemed to be penned not so much in the spirit of carnal criticism as with a Dr. Cantwell lifting up the eyes. We have here evidence of fertility of conception, and working of mind. There is something equally original and happy in the idea of the small central lantern and spire for which let those who will, ask for precedent—it being enough for us that precedent may be derived from them." The general effect of the church is very much enhanced by three painted glass windows. The East Window was painted by, and was the gift of, an amateur (the late Sir Robert Frankland

Russell, Bart.) In the upper part of it are introduced emblems of the four Evangelists, and underneath are the figures of Faith—the Belief—Moses presenting the Ten Commandments—and also the Paschal Lamb, and the Pelican feeding its young—the whole being richly ornamented. The West-window was painted by the architect himself, and was the gift of Mrs. Danby Vernon Harcourt. Besides containing the armorial bearings and crests of Admiral Harcourt, the founder, it has in the centre two large figures of St. Paul the Apostle (the patron Saint of the church), and St. John the Evangelist, and is also richly ornamented. The North-window presents the Royal crown and the letters V.R.—the date of the erection of the church—with the monogram of the architect, by whom it was painted and presented. The open roof, the stalls, the pulpit, the reading desk, the screen, and the communion table, are all constructed of English oak, in a very substantial but ornamental style, and in good keeping with the remainder of the building. The total cost to Admiral Harcourt was, I believe, not much short of £2000.

The church was consecrated by the Right Rev. Dr. Longley, then Bishop of Ripon, assisted by the Very Rev. D. Erskine, then Dean of Ripon, and about twenty of the neighbouring clergy. The Bishop and the Dean of Ripon officiated at the communion table, and the late Rev. Thomas Riddell, M.A., the Vicar of the Parish, at the reading desk. The Bishop preached an excellent sermon on the occasion from 3 Coloss., 2nd. verse, "Set your affection on things above, not on things on the earth." Admiral Harcourt endowed the church with a stipend which has been since augmented. He has also built an excellent Parsonage-house to it at a cost of £600.

As I have already shewn, Healey is now constituted a separate and distinct Parish for ecclesiastical purposes, having defined limits as hereinbefore described. It is in the patronage of the Vicar of Masham for the time being, and is of the value of £152 per annum. The Rev.

John Abraham Carter Swire, M.A., is the present incumbent.

In the years 1856 and 1858, the public charities of the Parish received a very important, and useful, addition, through the liberality and kindness of Admiral and Mrs. Danby Vernon Harcourt, in the shape of twelve neat and commodious Almshouses, and a charity School. In the former year six of the Almshouses were built by, and at the expense of, Mrs. Harcourt, who at the same time endowed them with £2650 three per cent. Consols, which she transferred into the names of the trustees of the charity, in order to enable them to carry out its object, by the payment of five shillings a week to each occupier of such six Almshouses. She also in the same year built a School-room and Residence for the Schoolmistress, for the purpose of the gratuitous instruction therein of twelve girls. She at the same time endowed the School with £666 13s. 4d. three per cent. Consols, which she in like manner transferred into the names of the trustees of the charity, to enable them to pay the salary of the schoolmistress, and to defray the expense of the clothing of the twelve girls required to be instructed therein. And in the latter year (1858), six additional Almshouses were in like manner built by, and at the expense of, Admiral Harcourt, who at the same time endowed them with £1775 three per cent. Consols, which he transferred into the names of the trustees of the charity, to enable them, out of the dividends thereof, to pay to each occupier of such six Almshouses, five shillings a week.

The institution of charities such as these, although once so common, are but too rare in this mammon-loving age—a circumstance which to my mind presents a melancholy proof of a sad falling off in this country in some of the very essentials of true vital religion, namely the practice of almsgiving and good works. We have it continually dinned in our ears that “man is justified by faith”; but how seldom are we told that “faith without

works is dead," or that "by works a man is justified, not by faith only," or the duty or necessity of alms-giving enforced from our pulpits; and still less do we see it practised even by those who are the loudest and the foremost to make great professions, and an outward show of religion. The spirit of the teaching and practice of the present age seems to be, that Christ is to do all for man, and that man is to do nothing,—to practice no self-denial,—and to make no sacrifices, for Christ, which is as contrary to the plain precepts of Holy Writ as light is from darkness. In former days this was not so, for then men, out of the abundance of their love for the Gospel, gave largely of their substance to the cause of Christ, for the extension of his kingdom, and the advancement of his glory, and that to the extent of impoverishing themselves and their offspring. This they did, not for vain-glory, or to secure the praise of their fellow-men, well knowing that God, the searcher of hearts, knew full well what were the feelings that prompted them to such actions; neither did they practise these good works thinking thereby to purchase Heaven, as has been erroneously and illnaturedly imputed to them. Such was not their belief, they being but too conscious that Heaven was not to be gained by anything poor sinful mortals like themselves could do, but that on the contrary, they were saved by grace and not of themselves, and the practice of such virtues was the result of the promptings of the faith which was in them, and the fruits of a holy living. I must confess that

"There's something in that ancient superstition,
Which, erring as it is, our fancy loves."

This, however, may be said in favour of the teaching and practice of the professors of religion of the present day, that it has this advantage over the old, of being a cheap way of gaining Heaven, a consideration not to be overlooked in these degenerate times, when the acquisition and hoarding of wealth are regarded as the *summum bonum* of earthly happiness.

On the 27th August, 1848, another institution, of a very different character to those just described, was founded in Masham. I refer to the formation and establishment of the Masham Mechanics' Institute—an institution, in my opinion, second to none in importance, in a place so situate and circumstanced as Masham is. I was greatly interested in it at the time, and took an active part in its formation and establishment. As soon as its nature and object was understood, it became generally appreciated, and proved a great success. It has already been of great service to many, although, I must confess it has not as yet accomplished all the good which I had anticipated. The objects aimed at by it were, the establishment of a comfortable reading-room, well supplied with newspapers, periodicals, and suitable books, to which the young men in the town might resort in an evening, in preference to spending their time at the street corners, or at the alehouses; of classes, at which they might be instructed in useful branches of knowledge: of a library of carefully selected works, suitable for their reading at their own homes: and of a series of popular and instructive lectures, such as would be interesting to all its members. The project was much approved of, and being supported by liberal contributions from Admiral and Mrs. Danby Vernon Harcourt, Timothy Hutton, Esq., and others, it was brought into full operation. The Rev. Thomas Riddell, M.A., the then vicar of Masham, accepted the office of President, an office which he continued to occupy with great advantage to the institution, and no little satisfaction and pleasure to himself, down to the time of his death in 1855. During the whole time of the presidentship of Mr. Riddell, the institution carried out the several objects for which it was founded to the fullest extent, under the immediate superintendence of Mr. Riddell himself, and it is incalculable the amount of good which was thereby effected, notwithstanding the great disadvantage which the institution then laboured under, by the want of a suitable building

wherein to carry on its operations. The want of such a building was much bemoaned by Mr. Riddell, as well as by all who took an interest in the well working of the institution. Little did we dream at the time that we should so shortly be put into the possession of what we so ardently desired, but at the loss of our worthy and respected President himself. Yet so it happened.

On the 30th September, 1855, Mr. Riddell died suddenly. The news of his death fell upon the people of Masham like a thunderbolt, and was received by them with the greatest consternation and dismay, each one feeling that by his melancholy death he had lost a much loved and valued friend. Never did man die more regretted and beloved. On the day of his burial his remains were followed to the grave by a large concourse of friends and parishioners; never did I witness such a depth of feeling as was exhibited on that melancholy occasion, not a few otherwise stout-hearted men giving vent to their pent-up sorrow by floods of tears.

Thus was severed, and that for ever, the happy and harmonious connection which had existed, during a period of nearly fifteen years, between this truly good and estimable man and his parishioners, during which he had endeared himself to those committed to his charge, by his pious and exemplary life—the faithful and zealous discharge of his duties as their pastor—his unwearied exertions in visiting the sick, and relieving their varied necessities—his unbounded liberality to the poor, and to the several charitable institutions—and by his kind, gentle, and Christianlike bearing to all.

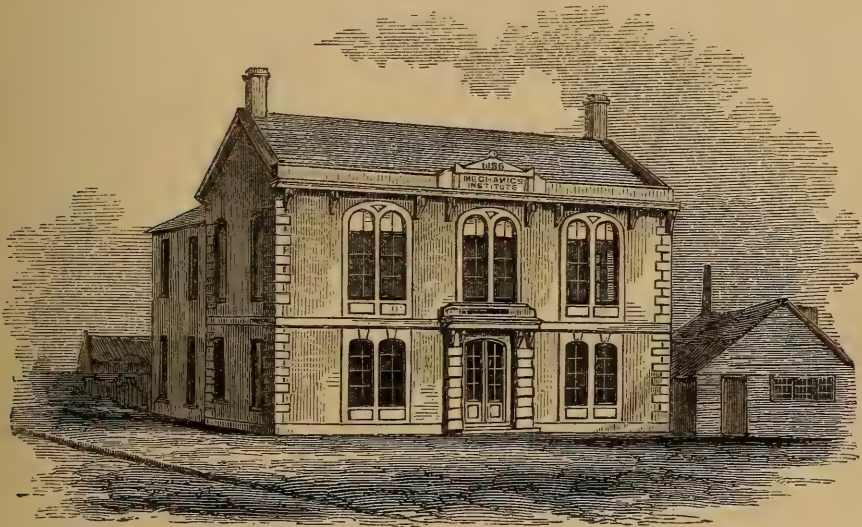
Soon after Mr. Riddell's sudden and melancholy death, a strong desire was expressed by many of his parishioners and friends to pay some mark of respect to his memory, and at the same time to preserve and hand down to posterity some lasting record of him, and his connection with the parish. As he had in his lifetime taken a very lively interest in, and had been the president and a liberal supporter of, the Mechanics' Institute, from its

first establishment until his death, it was determined to erect to his memory a handsome building in Masham as a Mechanics' Institute, to be called after his name. The Master and Fellows of Trinity College, Cambridge, very liberally granted a site for the building, and in addition thereto gave a donation of £20 towards the building. A subscription was set on foot for the erection of the building, which in a short time amounted to a considerable sum. In further aid of the building fund, the ladies of Masham formed themselves into a committee, and having obtained a long list of lady patronesses, with the name of Mrs. Danby Vernon Harcourt at his head, got up a Fancy Fair and Bazaar upon a novel and extensive scale. The Fancy Fair and Bazaar was held in Swinton Park, on the 9th of July, 1856, and was honoured by a very large and fashionable assemblage, numbering about 1500. The ladies of the committee gracefully and ably presided over the fancy fair, and the several stalls, which were loaded with a vast variety of fancy and ornamental articles, as well as a large assortment of others of a more useful description, presented, with the gay throng, a most imposing appearance. Never did the fair domains of Swinton Park, replete as it is at all times by nature with all that is charming and beautiful, show to greater advantage than it did on that occasion. Everything passed off with the greatest possible satisfaction to all parties, and after paying all expenses and outgoings, the committee had the pleasure of handing over to the treasurer of the building committee the sum of £275, which with the sum of £461 raised by subscription, made the sum of £736, applicable to the erection of the building. This last mentioned sum covered the entire cost of the building.

The first stone of the building was publicly laid on the 15th March, 1856, by Admiral Harcourt, as chairman of the building committee, and myself, as president of the institute, in the presence of Timothy Hutton, Esq., of Clifton Castle, the Rev. Thos. Hedley, M.A., vicar of

Masham, Wm. Perkin, Esq., the architect, the officers and committee of the institute, and a large concourse of the inhabitants of Masham and neighbourhood; when suitable addresses were delivered.

The Public Inauguration, and opening of the building for the purposes of the institute, took place on the 3rd November, 1856, by a Public Soirée, which was attended by a large and respectable audience. The chair was taken on that occasion by myself, as president of the institute, when the meeting was addressed by the Rev. Canon Trevor, of York, the Rev. Dr. Whiteside, vicar of Scarborough, the Rev. Thomas Hedley, M.A., vicar



THE RIDDELL MEMORIAL MECHANICS' INSTITUTE.

of Masham, the Rev. S. H. Atkins, of Studley, Barnett Blake, Esq., Lecturer to the Yorkshire Union of Mechanics' Institutes, and by other gentlemen, each speaker dwelling at some length on the great benefits which mechanics' institutes were capable of effecting, and paying a tribute to the memory of the late Mr. Riddell. The proceedings of the evening passed off with great success and gave universal satisfaction.

At the end of that year I resigned the office of President into the hands of the then newly appointed Vicar

of Masham (Mr. Hedley), and the Institute has ever since been carried on principally under his personal direction and superintendence.

The next public improvement which claims our attention, was the lighting of the town of Masham with gas, in 1858. This was effected by the aid of a Joint Stock Company, which was formed for the purpose, under the style of "The Masham Gas Company Limited." The construction of the works was let to the late Mr. Knapton of the Albion Foundry, York, who completed the contract very satisfactorily. The town was lit up on the 5th November, 1858, when the event was commemorated by a large dinner party at the King's Head Inn, which was attended by all the principal inhabitants of the place, and was presided over by myself, as chairman of the Gas Company—the town being at the same time gaily illuminated with a great variety of appropriate devices. The Gas Company, as a commercial speculation, proved highly successful—its shareholders having received out of the profits realised by it a dividend of £5 per cent. in the first year of its existence, and £10 per cent. in the second year. The public lamps in the streets are now lighted by the Local Board for the Masham District (which comprises the whole Parish), appointed under the provisions of the Local Government Act, 1858.

About the same time the town received the benefit of a plentiful supply of excellent spring water, brought to it in pipes from a distant spring, by the enterprise of a private individual (Mr. George Kendall of Masham). I doubt whether that spirited gentleman receives a sufficient return in the shape of water-rents, for his investment in the undertaking. This however is quite certain that the waterworks have been a great boon to the inhabitants, in the supply of a want which was very much felt.

I have already recorded the raising of a Volunteer Corps at Masham during the late French war: it is therefore but right that I should mention, for the credit

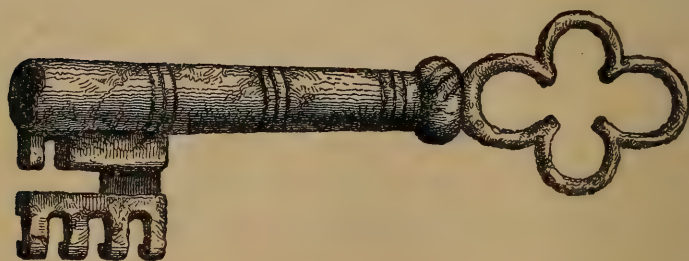
of the present generation, that when circumstances arose some two or three years ago, to render it desirable for the defence of the nation that a volunteer force should again be raised, a sub-division of Volunteers was formed in Masham under the name of "The Mashamshire or 11th North Riding of Yorkshire Rifle Volunteers." The commissioned officers of this sub-division are, Thomas Smurthwaite, Esq., of High Burton near Masham, as lieutenant; James David Raine Fisher, Esq., as ensign; and Midgley Cockroft, Esq., M.D, as assistant surgeon. Both officers and men have since its formation been very diligent and unremitting in their attendance at the necessary drills, and in acquiring the necessary instructions to enable them efficiently to discharge their respective duties, and to acquit themselves creditably when called up for duty.

The Dissenters are very numerous throughout the parish, and there are accordingly many dissenters' chapels within it. The SOCIETY OF FRIENDS were formerly very numerous here, and they have still a meeting-house in Masham, and a burial-ground at Ellington, although there is not now a single member of their society left in the parish. The BAPTISTS were the first, after the Quakers, to establish themselves here. They formerly held their meetings in the lobby in the long room connected with the Bay-horse inn. They afterwards bought a site in Grewelthorpe road, on which they built for themselves their present chapel. The WESLEYANS (who are a numerous body) have also had a chapel of their own here for many years past. The PRIMITIVE METHODISTS have also been established here for many years, but have not as yet been able to raise a chapel of their own. They meet in a room at the Cross-of-the-hill, which they rent for the purpose. A body calling themselves "REFORM WESLEYANS" have also been established here within the last few years, and meet for worship in a room rented by them for the purpose. Besides these, the Wesleyans possess a chapel of their own at Fearby.

PROVIDENT INSTITUTIONS are numerous within the parish: the Oddfellows (of the Manchester Unity), are the most numerous body, and possess a Hall of their own, in which they hold their lodge meetings. The Gardeners, and the members of the several societies called "Free-gifts," meet for the most part at the public houses.

A SAVINGS BANK has also been established here, in connection with the Ripon Savings Bank, and deposits are received, and payments made, by the trustees every Wednesday at noon, at the Mechanics' Institute.

Having now noticed everything of importance connected with the past history of Masham, its parish, and its institutions, I now proceed to speak of its several Lords. I accordingly, in the first place give, in a tabular form, a complete list of the several Lords of Mashamshire, commencing with Earl Edwin, who held Mashamshire in the reign of Edward the Confessor, and ending with the present Lord and Lady of the Manor, shewing in what manner and at what date they succeeded each other in the Lordship. And in the second place, I give the personal history of the several Lords, and of their families and connections, in the shape of full and extended Pedigrees.





VIEW OF MASHAM FROM ABOVE THE BRIDGE.

A TABLE,

Containing a List of the several LORDS OF MASHAMSHIRE, from the reign of Edward the Confessor to the present time, shewing when and how they succeeded each other in the Lordship.

Edward the Confessor to 5 William I. 1071.

Edwin, the Saxon Earl of Chester, and brother of Earl Morcar the Saxon Earl of Northumberland, was at this time Lord of Mashamshire. In consequence of the great opposition which Edwin and William offered to William the Conqueror, the latter, in 1071, seized upon Earl Edwin's estates, and granted them to his own nephew,

[5 William I. 1071.]

Earl Alan, known as Alan Rufus, Earl of Bretagne, and Richmond. On his death Mashamshire descended to his brother,

[3 William II. 1089.]

Earl Alan the 2nd, known as Alan Niger, Earl of Bre-

tagne and Richmond. On his death Mashamshire descended to his brother,

[7 William II. 1093.]

Earl Stephen, Earl of Bretagne and Richmond, who granted Mashamshire in his life-time to

[Before 1 Stephen. 1135.]

Nigel de Albini. On his death he was succeeded by his eldest son, Roger, then a minor, who took the name of

[About 1 Stephen. 1135.]

Roger de Mowbray, who granted Mashamshire in his life-time to his relative,

[Before 10 Stephen. 1140.]

Walter de Buhere, on whose death Mashamshire passed to his sister and heiress,

Emma de Buhere, who in consideration of some services rendered to her in the recovery of her estates in Normandy, granted Mashamshire to

John de Walton, or Wauton—which grant was afterwards confirmed by Roger de Mowbray. On his death he was succeeded by his son,

[7 Richard I. 1195.]

Gilbert de Walton, or Wauton, on whose death he was succeeded by his son,

[13 John. 1211.]

John de Walton, or Wauton, who granted Mashamshire in his life-time to his son,

[Before 15 Henry III. 1230.]

Sir John de Walton, or Wauton, on whose death he was succeeded by his daughter,

[26 Edward I. 1297.]

Joan de Walton, or Wauton, afterwards the wife of Hugh de Hopham, whom she survived. She sold Mashamshire to

[2 Edward III. 1328.]

Sir Geoffrey le Scrope, Knt., on whose death it descended to his son,

[13 Edward III. 1339.]

Sir Henry le Scrope, Knt. (1st Lord Scrope of Masham) who was succeeded on his death by his son,

[16 Richard II. 1392.]

Sir Stephen le Scrope, Knt. (2nd Lord Scrope of Masham) on whose death he was succeed by his son,

[8 Henry IV. 1406.]

Sir Henry le Scrope, Knt. (3rd Lord Scrope of Masham) on whose attainder for high treason, and consequent forfeiture of his estates, Mashamshire became vested in

[3 Henry V. 1415.]

The Crown, by whom it was granted out by Letters Patent (dated 10th June, 5 Henry V., 1417) to

[10th June, 5 Henry V. 1417.]

Sir Henry Fitz Hugh, Knt. His grant of these estates having been set aside, after a long contest, the estates of the last mentioned Henry Lord Scrope, were finally by Act of Parliament restored to his fourth brother,

[25 Henry VI. 1446.]

Sir John Scrope, Knt. (4th Lord Scrope of Masham) who granted Mashamshire in his life-time to his son,

[4th May, 32 Henry VI. 1453.]

Sir Thomas Scrope, Knt. (5th Lord Scrope of Masham) on whose death he was succeeded by his son,

[15 Edward IV. 1475.]

Sir Thomas Scrope, Knt. (6th Lord Scrope of Masham) on whose death, without issue, he was succeeded by his brother,

[9 Henry VII. 1493.]

Henry Scrope (7th Lord Scrope of Masham) on whose death he was succeeded by his son,

[6 Henry VIII. 1514.]

Ralph Scrope (8th Lord Scrope of Masham) on whose death, without issue, he was succeeded by his brother,

[7 Henry VIII. 1515.]

Geoffrey Scrope, Clerk, (9th Lord Scrope of Masham) on whose death without issue, and in default of heirs male, his real estates, including Mashamshire, descended to his three sisters and co-heiresses,

[9 Henry VIII. 1517.]

Alice, the wife of Sir James Strangways, Knt., Marjery, the wife of Sir Christopher Danby, Knt., and Elizabeth, the wife of Sir Ralph Fitz-Randolph, Knt. On a partition of the estates amongst these three co-heiresses, Mashamshire was allotted to, and fell to the share of

[12 Henry VIII. 1520.]

Marjery, the wife of Sir Christopher Danby, Knt. On her death it passed to her son,

[23 Henry VIII. 1531.]

Sir Christopher Danby, Knt. (who at his father's death in 1514 was a minor, 12 years of age.) On his death he was succeeded by his son,

[14 Elizabeth. 1571.]

Sir Thomas Danby, Knt., on whose death he was succeeded by his grandson,

[32 Elizabeth. 1589-90.]

Christopher Danby, Esq. (then a minor,) on whose death intestate he was succeeded by his son and heir,

[22 James I. 1624.]

Sir Thomas Danby, Knt. (then a minor). On his death he was succeeded by his eldest son,

[12 Charles II. 1660.]

Thomas Danby, Esq., on whose death he was succeeded by his son,

[19 Charles II. 1667.]

Thomas Danby, Esq., on whose death he was succeeded by his brother,

[23 Charles II. 1671.]

Christopher Danby, Esq., on whose death he was succeeded by his uncle,

[35 Charles II. 1683.]

Christopher Danby, Esq., who in that same year conveyed Mashamshire to his son,

[35 Charles II. 1683.]

Sir Abstrupus Danby, Knt., on whose death he was succeeded by his son,

[14 George I. 1727.]

Abstrupus Danby, Esq., on whose death he was succeeded by his eldest son,

[24 George II. 1750.]

William Danby, Esq., on whose death he was succeeded by his only son,

[22 George III. 1781.]

William Danby, Esq., on whose death without issue, Mashamshire passed by his will to his widow,

[4 William IV. 1833.]

Anne Holwell Danby, now (1863) the wife of Admiral Octavius Henry Cyril Venables Vernon Harcourt, who now holds it for her life.

PEDIGREES OF THE SEVERAL LORDS OF MASHAMSHIRE, FROM
THE REIGN OF EDWARD THE CONFESSOR TO THE PRESENT
TIME.

EARL EDWIN.

LINEAGE.

Algar, the Saxon Earl of Mercia in the time of Edward the Confessor, had the following children, viz. :—

I. Morcar, Earl of Northumberland, who received his appointment from the people, and was afterwards confirmed in it by Edward the Confessor. He was also Governor of York, which City, after a gallant defence of six months by him and his brother Edwin (Lord of Mashamshire) on its being besieged by William the Conqueror, he was obliged to surrender through famine, in 1071. He was condemned by the Conqueror to perpetual imprisonment.

II. Edwin, the Saxon Earl of Chester and Lord of Mashamshire, in the time of Edward the Confessor. He was the brother-in-law of King Harold, son of Earl Godwyn, who at the death of Edward the Confessor, had been elected by the people and crowned King of England. William Duke of Normandy having laid claim to the crown, and Tosti (the then Earl of Northumberland) having landed on Lindsey coast in Lincolnshire, with a rebellious force, for the purpose of disputing Harold's title to the crown, Edwin with his brother Morcar, rose and beat them out of the country, and afterwards gave battle to Harold Harfagar, King of Norway, who then invaded the land, but without success. It is not very certain, but very probable, that he was at the Battle of Stamford Bridge near York (which took place five days afterwards) where Harold Harfager the King of Norway was slain. After the disastrous defeat and death of Harold, the last of our Saxon monarchs, at the

Battle of Hastings, Edwin and his brother Morcar offered the most vigorous and organised opposition to the arbitrary usurpation of William the Conqueror. The crafty Conqueror, however, being anxious to conciliate two such powerful Thanes as Edwin and Morcar were, and to win them over to his own interest professed great friendship towards them, appointed them to honourable posts at his coronation, and still more, promised to give one of his daughters to Earl Edwin in marriage. Thus tempted, instead of further resisting the Conqueror's pretensions, they rendered him important services; but when Edwin asked for his promised reward, the Conqueror not only refused the fair bride but insulted the suitor. Upon this Edwin and Morcar secretly left the Norman Court, and coming here into the north of England, joined their incensed countrymen, and made common cause with them for the recovery of the ancient liberties of the people.

Having rallied around them the flower of the Saxon nobility, and garrisoned the City of York, they made a long and desperate resistance to the Norman arms. After a protracted siege, however, in which they were joined by Gospatric (Lord of Masham town) they and the gallant Saxons were defeated, through famine and the treachery of their Danish allies. Whilst William the Conqueror and his Norman allies were thus laying siege to the City of York in 1071, he deprived Earl Edwin of all his estates (including Mashamshire) and gave them to his own relative, Earl Alan (of whom hereafter) as a reward for the great services which he had rendered to him, on that and on other occasions. The Conqueror having taken Earl Edwin's brother Morcar prisoner, Edwin determined to release his brother or lose his life in the attempt, but was betrayed by his own followers into the hands of the Normans, when he lost his life. His death was much lamented not only by his own countrymen but by the French and Normans—on account, it is said, of his noble extraction, the devotion

of his parents, the handsomeness of his person, and of his being an especial lover of the clergy, monks, and poor persons. So much indeed was he regretted that when the Conqueror himself heard by what treachery his life had been taken, it is said that he was compassionately moved and wept, and instead of rewarding those that betrayed him, as they had been led to expect, he banished them, as they richly deserved to be.

III. Algytha, who married Harold, the last of our Saxon Kings of England, who was slain at the Battle of Hastings. She died in 1075, and was buried near her husband at Westminster. She had by him two sons called,

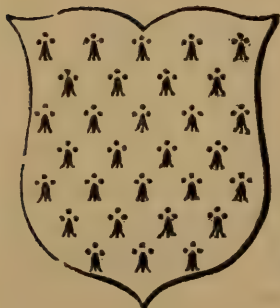
I. Wolf, who was but a child when his father was slain, and

II. Edmund.

IV. Lucy, whom the Conqueror gave in marriage to Ivo Talbois, a Norman, who was made Lord of all Holland in Lincolnshire.

EARL ALAN.

LINEAGE.



Eudo, Earl of Bretagne in Armorica, had the following children, viz. :—

I. Alan Rufus, or Fergeaunt, of whom hereafter.

II. Alan Niger, of whom hereafter.

III. Stephen, of whom also hereafter.

IV. Brian, who marrying the heiress of Chateau Briant, retired into Cornwall, where he laid the foundation of a noble family, which flourished for many ages.

V. Ribald, the first Lord of Middleham, who by his wife Algatha, daughter of Robert de Brusce, of Skelton Castle, in Cleveland—had a son,

I. Robert, Lord of Middleham, who in 1190, built the

Castle of Middleham. He married Helwisa, daughter and heiress of Ralph de Glanville, a Baron, and Chief Justice of England in the time of Henry II. and Richard I. He left the following children, viz. :—

I. Ranulphus, Lord of Middleham.

II. Robert, Lord of Middleham.

III. Mary, the wife of Robert de Neville, Lord of Raby, by whom she had many children. By her Middleham Castle came into the Neville family.

II. Bardolf, the father of Akarius, who founded the Abbey of Fors, in Wensleydale, in 1144, which was afterwards transferred to Jervaux.

Alan Rufus, or Fergaunt, above-mentioned, came into England with the Conqueror, and commanded the rear of his army at the Battle of Hastings, and was married to Constance, one of the king's daughters. As a reward for his services, the Conqueror, at the siege of York in 1071, gave him all the estates (including Mashamshire) of which he had deprived Earl Edwin, as before mentioned. By this means he became Earl of Richmond and Lord of Mashamshire. He died in 1089, but left no issue, whereupon he was succeeded as Lord of Mashamshire by his brother,

Earl Alan Niger, who was in great favour with King William Rufus, and was a great benefactor to the church. He also died without issue, A.D. 1093, when Mashamshire descended to his brother,

Earl Stephen, who granted Mashamshire, some time before 1136, to Nigel de Albini (of whom hereafter). He died in 1137, and was succeeded in his remaining estates by his son,

Earl Alan (surnamed the Savage,) who confirmed the grant of Mashamshire made by his father Earl Stephen, by again granting Mashamshire to Roger de Mowbray, the son and heir of Nigel de Albini. He died A.D. 1165, leaving issue,

I. Conan, his successor.

II. Robert.

III. Brian, father of Alan, Lord of Bedale.

IV. Reginald, of whom I do not further treat, as Mashamshire had ceased to be held by them or their family by the grant thereof by Alan Niger to Nigel de Albini, of whom I proceed next to speak.

Arms:—Escutcheon, Ermine.

NIGEL DE ALBINI,
AND
ROGER DE MOWBRAY.

LINEAGE.

Roger de Albini, by Amicia de Mowbray, sister to Robert, Earl of Northumberland, had (amongst other issue) a son,

Nigel de Albini, who came into England with the Conqueror, and was, after the Conquest, one of those captains who marched with him into the northern parts, and laid waste this part of the country. He was afterwards Bow-bearer to King William Rufus, and was present when that king came by his untimely death. He was a great warrior, and received as a reward for his valour grants of very large possessions. It is said that he was so enriched that he had in England 140 knights' fees, as also 120 in Normandy. He became possessed of Mashamshire by a grant thereof from Earl Stephen, as before mentioned, which grant was afterwards confirmed by Earl Stephen's son, and heir (Earl Alan), granting Mashamshire to Roger de Mowbray, as the son and heir of this Nigel de Albini. Whilst he was Lord of Mashamshire, he granted Aldborough to the Monks of Fountains. He had two wives, the first of whom was Maude, the daughter of Richard de Aquila, whom he married by permission of Pope Paschall, in the lifetime of her husband, Robert de Mowbray, Earl of Northumberland,

whilst he (Mowbray) was in prison for his rebellion against King William Rufus. He afterwards got divorced from her, on the pretext of her being his kinsman's wife, and then he married Gundreda. He died in the year 1135, and by Gundreda, his wife, he left as his successor, and heir of his extensive estates, (which included Mashamshire) a son,

Roger de Albini, who by the special command of King Henry I., assumed the name of Roger de Mowbray. This Roger de Mowbray, being a minor at his father's death, was a ward to King Stephen. He, like his father Nigel de Albini, was a great warrior, but had a still stronger bent to works of religion and peace. He was a most powerful baron, and his landed possessions were immense. He had four seats, or castles, annexed to his several baronies. Of these the first was Thirsk, dependent on which was that fine and fertile portion of the county of York, still denominated the "Vale of Mowbray." The second was the Barony of Mashamshire, and Kirkby Malzeard (at which latter place he had one of his castles), which stretched from the eastern confine of Mashamshire, by Middlesmoor, to Hebden-in-Craven. The third was Ewcross-Wapentake, stretching from Craven to the confines of Westmoreland, having another castle at Burton-in-Lonsdale; and the last was the Isle of Axiholme, where he had also a castle, called Epworth Castle. With Mashamshire, however, he parted in his lifetime, having granted it to his relative Walter de Buhere (of whom hereafter). Mr. Jefferson, in his History of Thirsk, says, "In Roger de Mowbray the unfortunate always found a friend; one that not only pitied their misfortunes, but also used his endeavours to relieve them; in battle he was valiant, and like a genuine hero, spread slaughter and destruction around him. He was lofty of stature; and his noble mien and condescending manners won him many friends." In the year 1138, on David, King of Scotland, invading England, this Roger de Mowbray, having sent the whole force of his wide

domains into the field, was, although a youth, one of the barons who commanded the King's army at the memorable battle, the Battle of the Standard, which was fought at Northallerton on the 22nd August, 1138, and at which the English obtained a great victory over the Scots. About the year 1142, adhering to the King against the Empress Maud, he was with him at the Battle of Lincoln, where he was taken prisoner, but was afterwards released when the Queen and her son were obliged to retire into Normandy. In the year 1148, he accompanied Lewis VII., King of France, as a Crusader, to the Holy Land, where it is related that he fought and vanquished a stout and hardy pagan in single combat. In the year 1173, having taken the side of Prince Henry in his contest with his father, King Henry II., for the throne, whilst he was staying at his castle at Thirsk, he planned a rebellion against the King, into which he entered very heartily, but proving unsuccessful he was taken prisoner by Geoffrey, the Bishop elect of Lincoln (the King's bastard son) on Candlemas day, 1140, when his castles at Kirkby Malzeard and Thirsk* were besieged, and they, with his other castles, were destroyed by order of the King. Amongst other religious houses, he founded the Abbey of Byland, as also the Priory of Newburgh, and made numerous and extensive grants of land to the monks of Fountains, and of Jervaux, as well as to other religious houses, amounting, it is said, to no fewer than thirty-five in number, to all of which he was a most liberal benefactor. Probably in order to expiate the crime of joining in rebellion against his King, he afterwards took a second

* Mr. Jefferson, in his History of Thirsk, in speaking of Roger de Mowbray's Castle of Thirsk, says, "This strong and warlike fortress, whose formidable walls overlooked the few houses which composed the town of Thirsk, was of immense magnitude, and inferior to few in the kingdom for the magnificence of its external appearance, as well as the sumptuous grandeur of the interior. Its towers were high and numerous, and of such excellent stone that they at once displayed all the richness of Gothic architecture, and all the durability so necessary to preserve them from the rage and violence of the feudal times, to which they were subjected. * * * Mowbray

expedition to the Holy Land, on which occasion he was again unsuccessful. The Christians being vanquished by Saladin, Roger de Mowbray was taken prisoner along with Guy, King of Jerusalem, but was afterwards redeemed by the Knights Templars. Wearied with wars and disgusted with the world, he returned to England, and retired to the calm seclusion of Byland Abbey, where he assumed the monastic habit, and spent the last fifteen years of his long and eventful life, in offices of religion. He was buried within the Abbey, in an arch on the south side of the Chapter-house, near to the Lady Gundreda,

was always well provided with stores for a siege, and the most orderly discipline was observed among his troops, which generally amounted to 500 effective men, who were willing at any time to lay down their lives for their valiant leader, and would have thought them richly bestowed. The castle itself was a noble pile of building, uniting the magnificence of a royal palace with the strength and security of an impregnable fortress. The soldiers were sprung from the different clans of the Mowbrays, and with their warlike leader had often fought valiantly and successfully, and had defended with fidelity incorruptible the rights of their beloved commander. The castle, with its outworks, occupied four acres of ground, but now scarce a stone remains upon another to mark the scene of all this bustle and confusion. The view, on passing the grand entrance, was calculated to strike terror into the beholder. The ponderous iron gates turned heavily on their hinges, 'grating harsh thunder.' The courts were filled with the warriors of the Mowbrays, who nightly traversed the ramparts, to keep diligent watch over the inmates of the castle, and to prevent a surprisal by lurking violence. The great hall was of spacious dimensions, and its decorations were of exquisite workmanship, hung with waving banners, the fruits of hard-earned victory."

If this is really a true and faithful description of Roger de Mowbray's castle at Thirsk, we may form some idea of the magnificence and strength of his other castle at Kirkby-Malzeard. All, however, that we know of it is its situation, and that it was situated on an eminence, with a deep ditch on the north, and commanding most extensive prospects to the east and north-east, and from which, no doubt, his other castle at Thirsk was visible. The late Mr. Dickens, in enlarging his mansion at Kirkby-Malzeard, and laying out his pleasure-grounds, dug up many ruins of the ancient castle of Kirkby-Malzeard, consisting of bases, shafts, capitals, which are still preserved. The camp upon Nutwith and the ford, or wath, across the Yore, near Aldborough (which still bears his name), are also evidences of his greatness and martial character.

his mother, having the figure of a sword placed over his tomb. His remains laid there in peace and undisturbed for a period of 600 years, namely, until the month of July, 1819, when the late Martin Stapylton, Esq., having learned from an ancient MS. the spot where they were deposited, took it into his head to cause them to be disinterred, and to be conveyed to his seat at Myton. Fragments of the coffin and small fragments of bones were obtained by different persons, who preserved them as relics. He left by Alice de Gaunt, his wife, two sons,* viz. :—

I. Nigel de Mowbray, (his successor,) who it will be seen, joined his father in the grant of the Church of Masham to the Church of St. Peter's at York, and also in granting the Forest of Masham to John de Wauton; but of this Nigel hereafter.

II. Robert de Mowbray, who also joined his father in making the last-mentioned grants.

Nigel de Mowbray, above-mentioned, succeeded his father in his vast possessions, but dying without issue, about the 3rd Richard I., 1191, he was succeeded by his eldest son,

William de Mowbray, who was one of the barons who took up arms against King John, and was one of the twenty-five barons appointed to enforce the observation of Magna Charta, which was signed at Runnimeade June 19th, 1215. In the reign of Henry III., adhering to the same cause, he joined the party of Prince Lewis of France, who invaded England at the request of many of the barons, and was taken prisoner at the battle of Lincoln, when his lands were forfeited, but afterwards restored to him. He died in 1222, and was buried at Newburgh Abbey. He was succeeded by his eldest son

* Neither of these two sons, or their descendants, were ever Lords of Mashamshire, their father having in his lifetime granted the lordship to his kinsman Walter de Buhere. I however continue the pedigree, on account of the prominent figure they make in the history of the country.

and heir, (by Agnes his wife, daughter of the Earl of Arundel,)

Nigel de Mowbray, who dying without issue, was succeeded by his brother,

Roger de Mowbray, who is the deforciant to the fine, set out in the Appendix hereto. He died in the 51st Henry III., 1266, and was succeeded by his eldest son,

Roger de Mowbray, who was summoned to Parliament as a baron. He died at Ghent about the 26th Edward I., 1297, and was buried at Fountains Abbey. He was succeeded by his eldest son (by his wife Rose, sister of Gilbert, Earl of Clare),

John de Mowbray. He married Aliva, daughter and co-heir of William de Braose, of Gower, and thereby acquired that inheritance. He fought in Scotland, and was knighted in the 35th Edward I., 1306.* Having joined in the insurrection under Thomas, Earl of Lancaster, he was amongst those who were taken prisoners at the battle of Boroughbridge, and was afterwards hanged at York, 15th Edward II., 1321. Rapin says, "Never since the Norman Conquest had the scaffold been drenched with so much noble English blood as on this occasion." He was succeeded by his son and heir,

John de Mowbray, who marched with the King into Scotland, was made Governor of Berwick-upon-Tweed, and served in the French wars with great honour. He died of the plague at York, in the 35th Edward III., 1361, leaving by his wife Joane Plantagenet (one of the daughters of Henry Earl of Lancaster) a son, as his successor, viz. :—

John de Mowbray, who, having joined the Crusaders, was slain near Constantinople, on his way to the Holy Land, in the 42nd Edward III., 1368. He married

* During the reign of Edward II., the battles of Myton on the Swale, Northallerton, Boroughbridge, Knaresborough, and Ripon, were fought against the Scots, and great was the desolation which was caused throughout this district. Northallerton and Ripon were ransomed by the King for 1000 marks each, but Knaresborough was totally burnt by the victorious Scots.

Elizabeth, daughter and heir of John Lord Segrave, by Margaret his wife, daughter and co-heir of Thomas Plantagenet of Brotherton, Earl of Norfolk, and Marshall of England, son of King Edward I. by his second Queen. He was succeeded by his son,

John de Mowbray, who at the coronation of Richard II. was created Earl of Nottingham, but dying soon after, he was succeeded by his brother,



Thomas de Mowbray, who was created Earl of Nottingham. On the 20th Richard II. 1396, he was appointed Earl Marshall of England, to hold to him and the heirs male of his body, and that by reason of the said office he should bear "a golden truncheon enamelled with black at each end, having at the upper end the King's arms, and at the lower their own arms engraven thereon." In the 21st Richard II., 1397, he came into such favour with the King, that he was created Duke of Norfolk. Falling, however, into disgrace with his royal master, he was banished for life, and died of the pesti-

lence at Venice, A.D. 1400. His wife was Elizabeth, sister and one of the coheiresses of Thomas Fitz-Allan, Earl of Arundel. He was succeeded by his son,

Thomas de Mowbray, who was beheaded at York in the 6th Henry IV., 1404, with others, for taking part with Richard Scrope, Archbishop of York, and the Earl of Northumberland, in an alleged conspiracy to dethrone the King. Having left no issue, he was succeeded by his brother,

John de Mowbray, who was restored to his father's

dignities by Henry V., whom he attended into France in his wars. He died about the 14th Henry VI., 1435, leaving by his wife (Catherine, daughter of Ralph Nevil, Earl of Westmoreland) an only son,

John de Mowbray. He was sent ambassador to Picardy, and made Judge Itinerant of Forests. He dying the 1st Edward IV., 1461, left by Eleanor his wife, (daughter of William, Lord Bouchier) an only son,

John de Mowbray, the last Duke of Norfolk of this family. He died in the 17th Edward IV., 1477, leaving issue by Elizabeth, the daughter of John Talbot, Earl of Shrewsbury, an only daughter, who was married to Richard, Duke of York, second son of Edward IV., who by special charter, created him Duke of Norfolk, and Earl Warren, to hold to him and the heirs male of his body. This young prince, however, did not long survive his newly-acquired honours, he and his brother, Edward V., having been smothered in the Tower, by (as it is stated in our old histories) their unnatural uncle Richard Duke of Gloucester, afterwards King Richard III. Later research, however, has tended to weaken the force of these assertions, and, to say the least, to throw considerable doubt upon the truth of them. Under such circumstances, it is not only charitable, but proper, for us to believe that an uncle could not, and would not, be guilty of so foul a murder, and thus imbrue his hands in the innocent blood of the children of his deceased brother.

ARMS—Gules, a lion rampant argent.

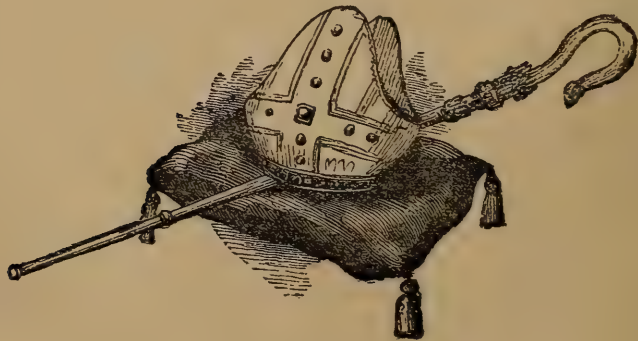
WALTER DE BUHERE.

LINEAGE.

Walter de Buhere (one of the Lords of Mashamshire), was a relative of Roger de Mowbray, as appears by a deed in which he confirms to the Abbot of Fountains a grant made to that abbey of lands in Swinton, by Purgisins, grandson of Roger de Mowbray, by his

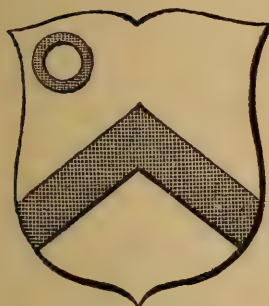
daughter Margery, to whom Roger had given the manor of Swinton. In that deed this Walter de Buhere calls this Purgisins (the grandson of Roger de Mowbray), his brother. It appears that Roger de Mowbray, in his lifetime, granted Mashamshire to this Walter de Buhere, and that the grant (although now lost), was in existence, and produced in evidence on the trial of an action brought by Christopher Danby, Esq., against Solomon Wyvel, Esq., for a trespass upon his lands in pursuit of game; and it is also mentioned in a schedule of deeds belonging to Mashamshire, now at Swinton Park. His name also appears in many of the grants belonging to Fountains Abbey, by which it is evident that he was Lord of Mashamshire; and this fact is further confirmed by the circumstance of his also confirming the grant made by Roger de Mowbray of the church of Masham to the church of St. Peter's, at York, which he does by his making a fresh grant thereof (as was usual at that date, when the confirmation of an estate was necessary), as will be seen in the Appendix C. hereto of documents relating to the church. He appears to have had no issue, whereupon Mashamshire descended to his sister and heiress,

Emma de Buhere, who, it seems, granted Mashamshire to John de Walton, or Wauton, "for helping her to seek her lands in Normandy and England," as is stated in the Catalogue before referred to.



JOHN DE WALTON, OR WAUTON.

LINEAGE.

ARMS OF
DE WALTON, OR WAUTON.

Sir John de Walton, or Wauton, became Lord of Mashamshire, by grant from Emma de Buhere, as above stated, which grant was confirmed to him by Roger de Mowbray, as appears by a document set out in the Appendix A. hereto. He, as Lord of Mashamshire, gave to the Abbey of Fountains part of Nutwith and Flatwith, in Mashamshire; which grant was afterwards confirmed to the abbey by Roger de Mowbray, as the then Superior, or Chief Lord of the Fee. He died in the year 1195, and was buried in the cemetery of Jerveaux Abbey. He was succeeded by his son,

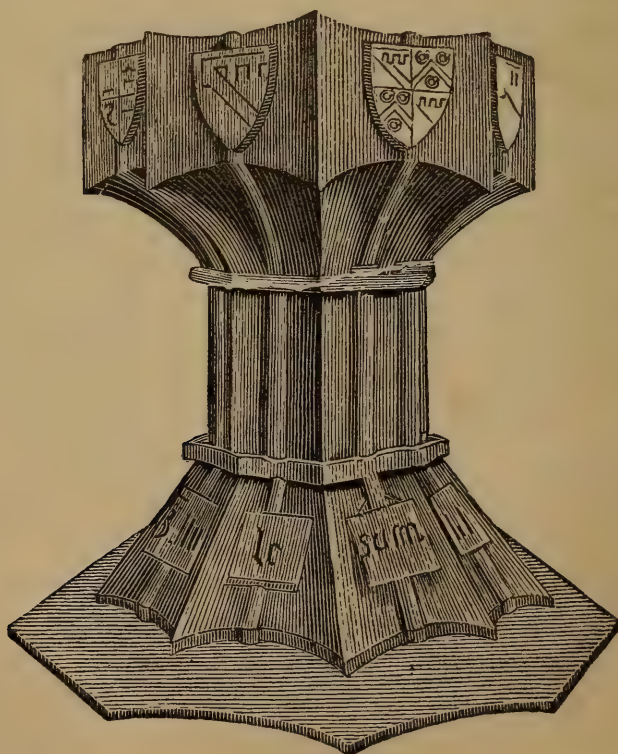
Gilbert de Walton, or Wauton. About the year 1201, he, as the then Lord of Mashamshire, gave the grange of Pott, in frankalmoigne, to the abbey of Fountains, together with a right of common on Sourmire; and by another deed he gave to the same abbey fifteen acres of land in the fields of Masham, called Brathorne. He died in 12 John, A.D. 1211, and was buried under the cloisters, before the door of the chapter-house, in Jerveaux Abbey. He was succeeded by his son,

John de Walton, or Wauton, who granted Mashamshire, in his life-time (as appears by a document set out in the Appendix A. hereto), to his son and successor, Sir John de Walton, or Wauton. He died 13 Hen. III., A.D. 1230, and was succeeded by his son,

Sir John de Walton, or Wauton, who became Lord of Mashamshire in his father's life-time, by a grant thereof, as before mentioned. His name occurs in the deeds of Fountains Abbey, as a witness to different grants made to that abbey of lands in Ellingstring, by Robert de Massam, dated the 1 Edw. I., A.D. 1272. In the 34

Hen. III., A.D. 1250, he bound himself and his heirs, by a deed, to the Abbey of Jerveaux, *never to raise a forge in Colsterdale, nor to give or sell any iron mines therein, or take any wood therefrom.* In the 8 Edw. I., A.D. 1280, he was called upon by the King to show by what authority he claimed Free Warren, in Masham, Ellington, Ellingstring, Healey, Fearby, and Sutton, to which he answered, and proved that he was entitled to the same, both by prescription and by a grant thereof by King Hen. III. In the pleadings in this action, it is called the manor of Masseham, and Ellington, Ellingstring, &c., hamlets, and members thereof. See the record of the proceedings in this action in the Appendix B. hereto. He died 25 Edw. I., A.D. 1297, leaving an only child as his successor, viz. :

Joan de Walton, or Wauton, afterwards the wife of Hugh de Hopham, whom she survived. In the 2 Edw.



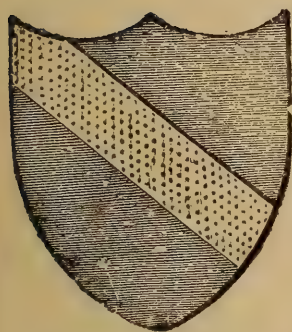
FONT IN SOUTH KILVINGTON CHURCH.

III., 1328, she sold* Mashamshire to Sir Geoffrey de Scrope. The several deeds relating to this sale will be found set out in the Appendix A. hereto.

Arms:—Argent, a Chevron and an Amulet in the dexter point of the Escutcheon, Sable.

SCROPE OF MASHAM AND UPSALL.

LINEAGE.



Sir William le Scrope, Knight, although described by Lord Campbell, in his *Lives of Chief Justices*, as “a small squire who lived at Bolton, in Yorkshire,” was, it is well known, distinguished both in tournaments and in the field, which at that day were considered to be the greatest accomplishments which a gentleman could possess. And if we are to believe the deposition made by the Earl of Arundel, in 1386, in the celebrated controversy between Sir Richard Scrope (the grandson of

* It has been frequently stated that Mashamshire and other estates came to the Scropes as heirs-at-law to the De Wautons, which is not correct, as the truth was that Sir Geoffrey de Scrope acquired them by purchase, as will appear by the copy purchase deeds, set out in Appendix A. It would seem, however, by the Scropes occasionally quartering the arms of the Wautons, that there really was some relationship between them. In an article in the 16th vol. of the *Archæologia*, when speaking of a font in South Kilvington Church, of which I introduce an engraving on the opposite page, and the arms sculptured upon it, it proceeds thus:—“The first shield is Scrope of Upsall, with a label of three, as a younger son of the house of Bolton; the second and third are Scrope also; the second quartering Wauton. The fourth is Scrope, impaling a lion rampant with two tails, which may be Cressy, Sutton of Warsop, or Lord Wells. The fifth is Chaworth quartering Statham. The sixth is Scrope in a border, which appears to be composed of the bearing of Wauton. The seventh is Scrope quartering Chaworth, and Scrope quartering Fitzwilliam. The eighth is Scrope quartering Wauton, with another shield of arms, probably that of Redman.” The font alluded to is inscribed round the stem, in bold relief, “D’n’s Thomas le Scrop et Elizabeth uxor ejus,” from which it would seem that it was erected at the cost

the individual here referred to), and Sir Robert Grosvena, knt., hereinafter mentioned, it will be put beyond all question that he "was descended from noble and generous blood of gentry and ancient ancestry, who had always preserved their name and estate in dignity and honour;" and the depositions of a host of other witnesses, who deposed, on that occasion, to the fact that Sir Richard Scrope's ancestors "had continually borne the contested coat *from the Conquest*;" thus carrying their gentility as far back as the Conquest. The Scropes of Castle Combe (a branch of this family), indeed trace their pedigree through this Sir William le Scrope, as far back as the time of Edward the Confessor. By Constance, his wife, he had two sons, viz.:

I. Henry le Scrope, who became Lord Chief Justice of the Court of King's Bench. Lord Campbell, in his *Lives of Chief Justices*, vol. 1, page 85, thus speaks of him:—"Henry le Scrope, of an obscure origin, from an eminence in the legal profession, sat in the House of Lords as a baron: and great chancellors and warriors were proud to trace him in their pedigree. He was the son of William le Scrope, a small squire, who lived at Bolton, in Yorkshire. Having studied at Oxford, he was transplanted, when very young, to London, to study the law in one of the societies then forming, which were afterwards denominated 'Inns of Court.' He was much distinguished for industry and ability, and in the end of the reign of Edwd. I. gained great wealth and reputation as an advocate." His name appears as an advocate in the Year Book of 1st Edw. II. On the 27th

of Thomas, the sixth Lord Scrope of Masham, and Elizabeth, his wife, formerly Elizabeth Neville.

The late Abstrupus Danby, Esq., in a memorandum in his handwriting which I have seen, says that the Scropes had no right to the arms of the Wautons, adding, "for they don't appear to have borne 'em at any time." I don't know, however, how he could reconcile this statement with the arms inscribed on the font in South Kilvington Church, as above mentioned. It seems to me that the arms borne on this ancient font fully establish the connection between the Scropes and the De Wautons.

November, 1308, he was made a Judge of the Court of Common Pleas; on the 15th June, 1317, he was promoted to the office of Chief Justice of the Court of King's Bench; and on the 19th December, 1330, he was appointed Chief Baron of the Court of Exchequer. He seems to have been in high favour with the King, from whom he received many grants for his services, and by whom he was created a knight banneret. He died on the 7th September, 1336, possessed of large estates, leaving by his wife Margaret three sons, all of whom were then minors, viz.:

I. Sir William le Scrope, Knt., who was in the wars of Flanders and Scotland. He died in 1345, without leaving issue.

II. Stephen le Scrope, who died before 1345, without issue.

III. Sir Richard le Scrope, Knt., who became first Lord Scrope of Bolton. He was born in 1328, and was a great warrior. He was in the wars of France temp. Edwd. III., by whom he was knighted at the battle of Durham, in 1346, in which the Scots were defeated; and in the same year he was at the siege of Calais. Between that time, viz., 1346, and the year 1385, a period of forty years—(and which is the most brilliant period of our annals)—it is said that there was scarcely a battle of note in England, France, Spain, or Scotland, where the English forces were engaged, in which he did not gain honour; and his career as a statesman was still more remarkable. He received a summons to Parliament as Baron Scrope of Bolton, and had also the honour of being appointed to the offices of Treasurer of the Exchequer, Steward of the King's Household, and the King's Chancellor and Keeper of the Great Seal; "having," according to Walsingham, "not his fellow (of his degree) in the whole realm, for prudence and integrity." Such, indeed, was his integrity, as Lord Chancellor, that he peremptorily refused to affix the Great Seal to a grant made by his Royal master, King Richard

II., to one of his favourites, telling the person that the duty of his office would not permit him to set the seal committed to his keeping to all the King's indiscreet grants, until he had acquired a little more experience; and when the King sent messengers to him to deliver up the Great Seal, he refused to do so, saying he would not surrender it except to the King himself. It was this Lord Scrope who had the memorable dispute with Sir Robert Grosvenor, Knt., touching the right to bear "az. a bend or" for his arms, which was tried, and after a contest which lasted four years, decided in his favour. His name is amongst those of the Peers who assented to the deposition of Rich. II., whilst his son, the Earl of Wiltshire, sacrificed his life in the service of that unfortunate Sovereign. He founded twelve additional canonries in the Monastery of St. Agatha, at Easby; he also established six chantry priests in his castle at Bolton, and made Wensley Church collegiate. He built Bolton Castle, and died full of honours, in May, 1403. By his will, which is dated 1400, he left to the abbey at Easby his set of vestments, chalice, candlesticks, cruets, and a little gilt bell; to the abbot, a covered cup given him by the Lord Prince; to his son and heir, a pair of paternosters, in coral, which were his father's, and a golden cross he himself had borne; he calls the Lord Archbishop of York "my dearest father and son," and leaves him a maser cup. He married, first, Blanche, daughter of Sir William de la Pole,* and sister to Michael, Earl

* The De la Poles were a very remarkable family. This William de la Pole was, in the reign of Edw. III., a wealthy merchant at Hull, and having on one occasion lent the King, in his urgent necessities, a large sum of money, he was made Chief Baron of the Exchequer and Knight Banneret, and was employed as an ambassador on several occasions. His son Michael, also, here alluded to, was originally a merchant, but was created Earl of Suffolk by Rich. II., and made Lord Chancellor. He was ultimately impeached by the Commons for divers misdemeanours and frauds, particularly for purchasing lands, while Chancellor, "in deception of the King," and being found guilty, was sentenced to death and forfeiture. He, however, through the favour of the King, managed to save his life, but was

of Suffolk; and secondly, Mary, daughter of Sir John Montford, Knt.; by the first wife he had three sons, viz.:

I. Stephen, who died in December, 1403; he was Lord of Bentley, in Yorkshire, and of Castle Combe, in Wilts, and ancestor of the Scropes of Castle Combe and Cockerington.

II. Sir William le Scrope, K.G., created Earl of Wiltshire, to hold the said dignity to him and his heirs male for ever. He was greatly esteemed, and employed by Rich. II. in numerous and important services. Amongst other offices, he was made Seneschal of Aquitaine in 6 Rich. II., and afterwards constituted Governor of the Town and Castle of Shirburgh. In the 16th of the same reign he was appointed Vice-Chamberlain of the Household, and about the same time he purchased the sovereignty of the Isle of Man from William de Montacute, Earl of Salisbury, with the Crown thereof, it being then a right of the lord of that island to be crowned with a regal crown, and to bear the title of king; and in 1394, when the truce was confirmed with France, he is recorded to have assented to it, "pour le Seigneurie de Man," as one of the "allies" of the King of England. He was one of the ambassadors deputed to France to contract a marriage for King Richard with Isabel, eldest daughter of Charles VI., King of France;

deprived of everything he possessed. His son Michael, however, succeeded in getting restored to his father's dignities, and was the father of Michael, Earl of Suffolk, one of the Peers who tried and condemned to death, as a traitor, his relative, Henry Lord Scrope of Masham, and was shortly afterwards himself killed at the Battle of Agincourt. On the death of this latter nobleman, he was succeeded in his titles by William, son of the first Earl above mentioned, and brother to Blanche, and became celebrated in the reign of Henry VI., as Queen Margaret's favourite, and was created Marquis and Duke of Suffolk, Lord Chancellor, Lord High Admiral, and, in fact, Dictator. He was ultimately impeached by the Commons of high crimes and misdemeanours, and afterwards decapitated. John de la Pole, his son, was, however, restored by Edw. IV. to his father's peerage dignities, and ultimately married the Princess Elizabeth, the King's second sister.

he received from the Crown large grants of confiscated lands, and on the 29th September, 1397, he was created by letters patent Earl of Wiltshire, and constituted Justice of Chester, North Wales, and Flint, with a grant of the office of Surveyor of all the Forests within the Principality of Chester, and was lastly made a Knight of the Garter; his rapid rise to wealth and honours was, no doubt, the cause of his downfall; he is the person of whom Shakspere makes the Lord Roos to say, "The Earl of Wiltshire hath the realm to farm."—*Rich. II.*, act 2, sc. 1.* On the invasion of the Duke of Lancaster, in 1399, he defended the Castle of Bristol for the King, when he was taken prisoner and beheaded on the 29th July, in the same year, and his estates were seized upon by the usurper. When his attainder was confirmed in Parliament, it is said that "his father, grey-headed, and still commanding the respect of his Sovereign and Peers, arose from his seat, his eyes streaming with tears, and implored that the proceedings might not affect the inheritance of himself or his other children; and was consoled by the King, who assured him that their interests should never suffer for the sentence, for he was, as he always before deemed him, 'a loyal knight.'" Simon Thomas Scrope, Esq., of Danby-super-Yore, is now prosecuting his claim to the Peerage before a Committee of Privileges of the House of Lords.†

III. Sir Roger Scrope, Knt. (second Lord Scrope of

* It appears that in 1389 he had been charged with infringing upon the franchises of the Bishop of Durham, and that it was then determined that he "should, for his transgressions and misprisons in the Bishop of Durham's franchise, by way of penance, offer a jewel at St. Cuthbert's shrine," the value of which being left to King Rich. II., was fixed by him to be of the value of £500 at the least. Judging from the large amount thus fixed upon, and the value of money at that day, his offence must have been a very serious one.

† Simon Thomas Scrope, Esq., of Danby, is descended from Ralph, fourth son of John Scrope, of Spennithorne, second son of Henry, sixth Baron Scrope, of Bolton, by Elizabeth Percy, daughter of Henry, Earl of Northumberland.

Bolton.) He died in 1404,* leaving issue, through whom Simon Thomas Scrope, Esq. (the claimant to the Wiltshire Peerage), traces his pedigree.

II. Sir Geoffrey le Scrope, Knt. (of whom next).

Sir Geoffrey le Scrope, Knt. (the first Lord of Mashamshire of that name), and Chief Justice of the Court of King's Bench in the reigns of Edw. II. and Edw. III., with the latter of whom he also served in a military capacity throughout his French and Scotch wars. He is also described as a knight distinguished both in lists of tournament and the field, and many interesting anecdotes are given of him in the several depositions taken in the Scrope and Grosvenor controversy before alluded to. Dr. Whitaker, in his History of Richmondshire, says of him that "he seems to have risen under the patronage of the Nevills, and that he first appeared in Coverdale, where he obtained a charter of free warren in his demesne lands at Coverham, Caldburgh, and Agglethorpe, 5 Edw. III. Six years afterwards he began to extend his possessions, probably by an extensive practice of the law in Lincolnshire, Kent, and Northumberland. The same year he obtained a license to make a castle of his manor-house of Clifton-upon-Yore, and Yarneswick, in the county of York. Of

* By his will, he directs that "if Richard, son and heir of Henry de Grey, late Lord of Wilton and Shirlond, do not consent to a marriage between himself and Matilda, my daughter, when he attains the age of fourteen years, then I leave the marriage of the same Richard, with the custody of all his lands, to my executors, to dispose of them for the promotion and marriage of the said Matilda; and if he do agree to it at the said age, then I will that my executors shall apply all the profit of the said lands, beyond yearly reprisals, for the salvation of my soul, at their discretion." In this will we have not only another illustration of the infamous traffic in the wardships and marriages of minors, which was at this day unblushingly carried on by the highest personages in the land, but also an insight into a very ingenious contrivance which is here resorted to by Sir Roger Scrope, having for its object the obtaining of a husband, and portion, for a daughter, and at the same time, the securing of the salvation of his own soul into the bargain. The young gentleman, however, did not after all marry the fair Matilda.

the Castle of Clifton few vestiges appear, though from its vicinity to Masham, it seems to have stood in the place of a manor-house for that town." There are, however, documents giving earlier references to him than those mentioned by Dr. Whitaker. The earliest is a deed dated July 27, 1310, 4 Edw. II., by which William de Brakenbury granted him part of a rent out of the mill at Thirsk; and in March, 1316, he is certified as possessing property in various townships in Yorkshire. He was a serjeant-at-law, 9 Edw. II., A.D. 1315, and shortly afterwards he held the office of King's Serjeant. In the wardrobe account, there is an entry of the payment of £13 6s. 8*d.* "to Geoffrey le Scrope, King's Serjeant, staying near the person of the King, by his order, when journeying through divers parts of England in the months of April, May, and June, in the present fourteenth year of the King's Gift, for his expenses in so staying." About the same period, he was employed by the King in negotiating with the Scots. He was one of the Commissioners named in a Commission dated at Knaresbrough, on the 27th of Feb., 16 Edw. II., A.D. 1322, for the trial of Andrew de Harcla, Earl of Carlisle,* charged with having entered into a conspiracy with James Douglas, a Scot, whereby the King, for lack of his assistance, was defeated in a battle at Byland Abbey. The Commissioners having found him guilty, they then and there pronounced the following sentence upon him:—"That his sword should be taken from him, and his gilt spurs hacked from his heels. That he should then be drawn and hanged by

* Andrew de Harcla, Earl of Carlisle, was the owner of Harmby, near Leyburn, in the fourteenth century. He was the son of a private gentleman, but having distinguished himself in the Scottish wars, was created Baron Harcla by Edw. II., on the 15th of May, 1322. In the following year he completely routed the insurgents under Prince Thomas Plantagenet, Earl of Lancaster, at Boroughbridge, and took the Earl himself prisoner. In consequence of his services, he was elevated to the Earldom of Carlisle. His sudden elevation seems to have turned his head, and to have induced him to enter into this conspiracy.

the neck; his heart and bowels taken out of his body, burnt to ashes, and winnowed; his body cut in quarters; one to be set on the principal tower of Carlisle Castle; another upon the tower of Newcastle-upon-Tyne; a third upon the bridge at York; and the fourth at Shrewsbury; whilst his head was to be placed on London Bridge;" which judgment was carried into execution on the 3rd March, 1322. On the 27th Sept., 1323, 17 Edw. II., he was raised to the Bench, and created a Judge of the Court of Common Pleas; on the 21st of March in the following year he was promoted to the Chief Justiceship of the King's Bench, and presided over that court until the end of that monarch's reign, when he was removed for some cause or other, but was re-appointed to his office on the 28th Feb., 2 Edw. III. In this last-mentioned year he purchased Mashamshire from Joan de Hopham, as before mentioned. But it was not only as a lawyer that he was distinguished: he made himself equally prominent as a diplomatist, a knight, and a soldier. As a diplomatist, he was repeatedly employed by the King in negotiating many important matters of State; and whilst thus employed, we find that other judges had to be appointed to supply his place on the Bench. As a knight and a soldier, he gained great distinction at the tournaments held at Northampton, Guildford, and Newmarket, at the first of which he was knighted. He also accompanied the King in the invasion of Scotland, and displayed his banner and pennon at the affair of Stannow-park; he was also several times one of the royal retinue in Flanders and France, having a train of two knights and forty men-at-arms; and in July, 1340, 14 Edw. III., he served at the siege of Tournay. Sir Geoffrey was twice married: his first wife was Ivetta (daughter of Sir William Roos, of Ingmanthorp, Yorkshire), whom he married some time before 2 Edw. II., 1317; his second wife was Lora (daughter and co-heir of Sir Gerard de Furnival, Lord of Munden Furnival, &c., in Hertfordshire, and of

Swanton, Yorkshire, and widow of Sir John Ufflete, living 5 Edw. III., 1331.) He died 14 Edw. III., 1340, at Ghent, in Flanders, and was buried at Coverham-Priory; he left by his first marriage the following children, viz.:—

I. Sir Henry Scrope, Knt., Baronet (*1st Baron Scrope of Masham*), who was born about 1315, his eldest son and successor, of whom hereafter.

II. Sir Thomas Scrope (second son) was living in 1322. He died during the lifetime of his brother, and was buried at Coverham.

III. Sir William Scrope, Knt., (third son) was born about 1325; served in the wars of France, Spain, and Scotland, and was at the Battle of Sluse, 1340; Cressy, 1346; Neville's Cross, 17th October, 1346; Espagniol-sur-mere, 1350; Poitiers, 1356; Berwick, 1357; Najara, 1367; and at the siege of Calais, 1346-7. He married Maud (daughter of John Lord Neville of Raby, K.G., by Maud, a daughter of Lord Percy); and he died in Spain 1367, without issue.

IV. Sir Stephen Scrope (fourth son), who was at the Battle of Cressy, 1346; and the sieges of Calais, 1347; and Berwick, 1357. Sir Stephen Scrope was living in 1359, when he held lands at Leyburn, Thornton, and other places in Yorkshire. His wife's name was Isabella (who was also living in 1359) by whom he left issue an only daughter and sole heiress,

Joan Scrope, who was born about 1365. She married first, William de Pert of Tiverington, Yorkshire, who died before 1390; and secondly, Sir Roger Swyllington, Knt., who died 1418. She died 20th September, 1427, leaving issue by both her marriages.

V. Geoffrey Scrope, Clerk (fifth son) Prebendary of Apesthorp, 3rd November, 1340; Rector of Bowden Magna in Leicestershire, 1366; Prebendary of Hayder, Lincolnshire. He died on the 11th April, 1380 (in which year his will was proved) and was buried in Lincoln Cathedral.

VI. Beatrix Scrope, who married, before 1320, Sir Andrew Luterel,* of Irnham, in Lincolnshire.

VII. Constance Scrope, who was married before 1390, to Sir Geoffrey Luterel, brother to Sir Andrew Luterel.

VIII. Ivetta Scrope, who was married to John de Hotham, who died in her lifetime. She was living in 1355.

Sir Henry le Scrope, Knight Banneret, and first Baron Scrope of Masham (before mentioned as eldest son and heir of Sir Geoffrey). He was a military and long-lived man. In the 5th Edward III. he served with distinction in the wars of Scotland, when a few of the English nobility placed Baliol on the throne of that kingdom. He was at the siege of Berwick, 1303, and there knighted; and at the Battles of Halidon Hill, 1333; Schluse, 1340; Cressy, 1346; Neville's Cross, near Durham, October, 1346; Espagnuolo-sur-mere, 1350; and at the siege of Calais 1346--7; was Governor of Guisnes and Calais, 1360; and Captain of Calais, 1369. He was one of the Commissioners for arraying the County of York on a threatened invasion by the French, and during the remainder of the reign of Edward III., he was either actively engaged in the wars, or employed as a diplomatist. In the 2nd Richard II., being then a Knight Banneret, he was with others sent Ambassador to treat with Charles King of Navarre, regarding a league between that prince and the King of England. He was summoned to Parliament from November, 24th Edward III., 1350, to 7th September, 15th Richard II., 1391. He died 31st July, 15th Richard II., 1391, aged about 76, leaving by his wife Joan* the following children,

* Robert Luterel, his grandfather, was summoned to Parliament 22nd and 23rd Edward I., and died 25th Edward I. His son Geoffrey never had summons to Parliament, nor any of his descendants, but in 1768, a junior branch of this family, Simon Luterel, whose sister married his Royal Highness the Duke of Cumberland, brother to King George III., was created Baron Irnham, of Luttrellstown, in Ireland, and was subsequently advanced to the dignity of Earl of Carhampton.

* Mr. Grainge, in his "Vale of Mowbray," says, "His wife was Philippa,

I. Sir Geoffrey Scrope, his son and heir; he was born about 1340, served in Brittany at the siege of Rennes, 1357, and before Paris 1360, when he was knighted: he was slain in Lithuania 1362, and was buried in the Cathedral of Konigsburg, in Prussia. He married Eleanor, daughter of Ralph Lord Neville, but died without issue, and his widow afterwards became a Nun, and subsequently Abbess of the Minories, in London.

II. Sir Stephen Scrope (second son and successor) of whom hereafter.

III. Richard Scrope, Archbishop of York (third son). He was born about 1350. Was Rector of Ainderby-Steeple, in Yorkshire, 1367; was consecrated Bishop of Lichfield and Coventry, August, 1386, and translated to York 23rd June, 1398; and was beheaded for high treason, 8th June, 1405. He was so much beloved by the people that great numbers of them used to flock to his grave, and so many miracles were said to have been wrought at it that Henry IV. ordered it to be concealed by great logs of wood.

IV. Henry Scrope (fourth son) was an Esquire in the army before Paris, in 1360.

V. Sir John Scrope, Knt., (fifth son) who was born about 1345; served in France, 1380, and in Scotland, 1383. He married before 1402, Elizabeth, eldest daughter and coheir of David Strathbogie, Earl of Athol, and widow of Sir Thomas Percy, Knt. He died December, 1405, leaving by his wife the following children, viz.:—

daughter of Guido de Brien, who died in 1406, and was buried in York Minster;" and he adds the following foot-note in confirmation thereof:—"An inscription in St. Stephen's Chapel, in York Minster, extant in Leland's time, is decisive as to who was the wife of this Henry le Scrope, and when she died." Burke's "Extinct and Dormant Baronage," p. 474, leaves her name blank, and afterwards inserts her as the first wife of Sir Henry le Scrope, who was beheaded in 1415. "Philippa, wife of Henry Lord Scrope of Masham, daughter of Guy Lord Brien, died November 19, 1406." Mr. Grainge is not, however, always correct in his statements respecting the Scrope family. I therefore adhere to Joan as being the name of Henry Lord Scrope's wife.

I. Elizabeth Scrope, who married Sir Richard Hastings, and was living in 1415.

II. Margaret Scrope, who married Thomas Clarrell, of Clarrell near Tickhill, Yorkshire, by whom she had issue. She was living in 1415.

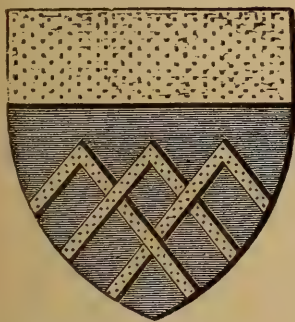
III. Joan Scrope, who married Henry Lord Fitzhugh, second Baron: she died 16th Richard II., 1392, leaving two sons, viz.:—

I. John Fitzhugh, who was slain at the Battle of Otterbourne, better known as “Chevy Chase,” fought by the English under Sir Henry Percy and Sir Robert Percy, and the Scots under the command of the Earl of Douglas.

“Ther was slayne upon the Ynglysshe syde,
For soth and sertenlye,
A gentell knight, Sir John Fitz-hughe,
Yt was the more petye.”

The Battle of Otterbourne.

(From “The Reliques of Ancient English Poetry”)



II. Henry Lord Fitzhugh,* third Baron, who attained great eminence in the reigns of Henry IV. and Henry V. On the coronation of Henry V. he was appointed Constable of England for that solemnity. He was afterwards Lord Chamberlain of the King's Household, and assisted at the

Council of Constance. For his great services he had a grant of all the lands which had belonged to the attainted Henry Lord Scrope, of Masham—hereafter mentioned—to hold during the term that those lands should continue in the King's hands. Thus for a short time he was Lord

* Henry Lord Fitzhugh was descended from Bardolph, an illegitimate brother of Earl Alan Rufus. Bardolph's son, Acharius Fitz-Bardolph, was the original founder of Jervaux Abbey, when it was first founded at Fors, in Wensleydale, in 1150. The family some generations afterwards took and assumed the name of Fitzhugh.

of Mashamshire, but subsequently surrendered his grant on the lands being restored to Sir John le Scrope as fourth Baron Scrope of Masham. He was much engaged in the French wars, and twice as a Crusader to the Holy Land, where he fought with the Saracens and Turks. He married Elizabeth Gray, heiress of Marmion of Tanfield: he died at Ravensworth on the 11th January, 1424, and was buried at Jervaux Abbey, the burial-place of his ancestors as founders of the abbey. The mutilated effigy of this illustrious warrior is still to be seen at Jervaux.

VII. Isabel Scrope, born 24th August, 1337. She married Sir Robert Plumpton, Knight, of Plumpton, Yorkshire, who died 19th April, 8 Hen. IV., 1407. She died before 1399, leaving issue.

Sir Stephen Scrope (the second son of Sir Henry Scrope, Knight) succeeded his father as second Baron Scrope of Masham. He was born about 1345, and was forty years of age when his father died; he was a soldier, and served in the train of his father—viz., in 1391—in the wars of France, and distinguished himself by sea and land. During his father's lifetime he became a Crusader, and went to the Holy Land, and was knighted at Alexandria A.D. 1365; he was at the battle of Najara in 1367; he was summoned to Parliament from 23rd Nov. 16 Rich. II., 1393, to 1st Jan., 7 Hen. IV., 1406. His will is dated 7th Jan., 1405-6, and was proved on the 25th of that month. He married before A.D. 1376, Marjery, daughter of John Lord Welles, and widow of John Lord Huntingfield. He died 25th Jan., 1405-6, possessed of large estates in the counties of Essex, Notts., Stafford, Lincoln, and York, and was buried in St. Stephen's Chapel, in York Cathedral; he left the following children, viz.:—

I. Sir Henry Scrope (his eldest son, heir, and successor to the title), of whom hereafter.

II. Sir Geoffrey Scrope Knt., (second son.) He received a grant of £20 per annum for his services, 12th

May, 1409. He died 6 Hen. V., 1418, without issue.

III. Stephen Scrope, Clerk (third son.) He was inducted into the prebend of Langtoft, 28th December, 1399; into the prebend of Bickell, Feb., 1400; into the prebend of Driffild, 4th March, 1400-1; he was collated Archdeacon of Richmond the 19th, and installed by proxy the 22nd of May, 1400; and was Chancellor of Cambridge, 1414. By his will, which is dated 23rd August, and proved 7th Sept., 1418, he acknowledges his obligation to Archbishop Scrope, and desires to be buried near him. He died the 5th of September, 1418.

IV. Sir John Scrope (fourth son), of whom hereafter.

V. William Scrope, Clerk (5th son.) He was inducted into the prebend of Skipwith, 22nd July, 1448; and of Nunwick in August, 1457; he was collated Archdeacon of Durham, and Residentiary of the College of St. John of Beverley, of Ripon; he died 12th May, 1463, and was buried in York Cathedral.

VI. Maud Scrope, a nun in the Minories in London, who was living August, 1418.

VII. A Daughter, married to Sir Baldwin Frevyll, who died 2 Hen. IV., 1400, leaving issue.

Sir Henry Scrope, (third Baron Scrope of Masham, K.G.,) succeeded as son and heir to his father, Sir Stephen Scrope. He was summoned to Parliament from 20th August, 8 Hen. IV., 1408, to 26th Sept., 2 Henry V., 1414; was ambassador to the Queen of Denmark, 1406; to France, 1408; to the Duke of Burgundy, 1413; and again to France in that year; was appointed to negotiate the King's marriage, in June, 1414; was Treasurer of England A.D. 1409. In the 6th Hen. IV., he obtained a grant from the King of the manors of Thirsk and Hovingham. The towns of Hampstead and Hendon, in Middlesex, were assigned to him during his stay in London, for lodging and entertainment of his servants and horses, in consideration of his great abilities and the necessity of his presence in Parliament and Council. His will is dated 23rd June, 1415; he was beheaded for

high treason 5th Aug., 3 Hen. V., 1415, and attainted, under the circumstances mentioned in pages 74-8; he married twice; his first wife was Philippa, daughter and coheir to Sir Guy de Bryan, Jun., widow of Sir John Devereaux, whom he married 11th July, 22 Rich. II., 1398, pursuant to a Papal dispensation, on account of their being related; she having died 19th Nov., 8 Hen. IV., 1406, he married, secondly, Joan, widow of Edmund Duke of York, and sister and coheir of Edmund Holland, Earl of Kent, about Sept., 1411. He had no issue by either of his two wives, and was succeeded by his brother, Sir John Scrope, next referred to.

Sir John le Scrope (fourth Baron Scrope of Masham, the fourth son of Sir Stephen Scrope, before mentioned.) He succeeded as heir to his brother, Sir Geoffrey, and was thirty years of age and upwards in 6 Henry V., 1418. In his relief for the manor of Driffeld, 3 Hen. VI., 1424, he is described as brother and heir of Stephen le Scrope, Clerk, the brother and heir of Geoffrey le Scrope, Knight, brother and heir of Henry le Scrope, Knight, son and heir of Stephen. As the first step to a restoration of the barony and estates forfeited by his brother's attainder, he obtained from the Crown, with the assent of the Lords in Parliament, a grant for four years of all the lands so forfeited by his brother. After a long and protracted struggle, as will be seen by the documents set out in the Appendix A. hereto, he was ultimately restored to the barony and estates. He was summoned to Parliament from 7th Jan., 4 Hen. VI., 1426, to 26th May, 33 Hen. VI., 1455. He does not seem to have been distinguished as a military man, but was accounted a prudent and judicious ambassador to foreign Courts, and was accordingly employed much in that capacity. He was sworn a Privy Councillor 28th Feb., 2 Hen. VI., 1424; was ambassador to the King of Spain and King of the Romans, in July, 1428; to Scotland, 1429; and was employed in diplomatic missions on many subsequent occasions. He served in the

wars of France; he was in high favour with the King, and was appointed to the great office of High Treasurer of England, 26th Feb., 10 Hen. VI., 1432, which he held for two years. His will is dated 1st July, 29 Hen. VI., 1451, by which he directed his body to be buried in a new tomb made for himself and the Lady Elizabeth, his wife, in St. Stephen's Chapel, York, and that at his funeral his corpse should be borne by his sons and servants (being then at his house), to the said chapel, twenty-four poor men clothed in woollen gowns going before it, and that the same poor men should, before the entrance of that chapel, say their prayers at the diriges, as well as the mass, each receiving for their pains 6*d*. Also, that his corpse should be brought into that chapel, and laid upon the tomb, and covered with a black woollen cloth, and a large cross of white linen, and that two pairs of candlesticks of silver-gilt, with his arms, which he had lately given to the high altar, should be placed upon his tomb, each of them holding a wax candle weighing 4*lb*.; he also gave to John, son and heir of Henry Lord Scrope of Bolton, one great brooch of gold, of two angels, fashioned like a man's heart. A codicil to this will is dated 18th March, 1453; he married twice: his first wife was Elizabeth, daughter of Ralph Lord Greystock, who dying without issue, he married, secondly, Elizabeth, the daughter of Sir Thomas Chaworth, of Wiverton, in the county of Notts., Knight, whose ancestor, Thomas de Chaworth, had summons to Parliament 22 Edw. I., and heiress of Nicola, daughter and heiress of Sir Reginald Braybrooke, Knight, who survived him eleven years, and died in 1466. She then took the veil. The commission to receive her is dated 18th Dec., 1455, and is directed to the Archbishop of York, and to his suffragan, John Bishop of Phillipolis. The following is a copy of the oath which was administered to her:—"In the name of God, Amen. I, Elizabeth Scrop, late wife of my worshipful Lord John newly Lord Scrope and of Masham, avow to be chaste

fro' this time forward, and I behote to live stably in this vow during my life; and in witness whereof I with mine own hand made this subscription. ✠" He died on the 15th Nov., 34 Hen. VI., 1455, leaving the following children by his second marriage, viz :—

I. Henry Scrope, son and heir, who died young and unmarried.

II. John Scrope, second son, who married Margaret, daughter of Thomas sixth Lord Dacre, who was living September, 1452. The date of his will is 17th September, 1452, in which he mentions his sister Eleanor: he died on the 18th of the same month, and was buried in York Cathedral—he left no issue.

III. Eleanor Scrope,* who married twice: her first husband was Richard Darcy, son and heir-apparent of Sir John Darcy, of Hyrst, Yorkshire; he having died in his father's lifetime, viz., before 1st June, 1454, she married, secondly, William Claxton, of East Briggeford, in Nottinghamshire, Esq., about the 29th April, 38th Henry VI., 1460: she died and left issue by her first marriage, from whom the Barons Darcy and Conyers are descended.

IV. Anne Scrope, died young.

V. Elizabeth Scrope, died young.

VI. Elizabeth Scrope, married Henry fourth Lord Scrope of Bolton, who died January, 1459. She was living August, 1498: her son John (whose portrait is still preserved) was a stout Yorkist.

VII. Sir Thomas Scrope, third son, of whom next.

Sir Thomas Scrope, last above-mentioned, was the fifth Baron Scrope of Masham: he was 26 years of age in 34th Henry VI., 1455, and was 30 years of age at the death of his mother, 6th Edward IV., 1466. He was summoned to Parliament from the 9th October, 38th Henry VI., 1459, to 19th August, 12th Edward IV.,

* She was grandmother to Thomas Lord Darcy, who was beheaded in 1538, on whose attainder the [third] Barony of Darcy became forfeited.

1472. Though living, at least as to his earlier years, in an unquiet period, he seems, by his quiet disposition, to have not only escaped attainder and forfeitures, but to have obtained a grant of an annuity of 20 marks for his services against the House of York, 19th December, 38th Henry VI., 1459. In the 37th year of the same reign he obtained a license to found a chantry for two priests in the family chapel of St. Stephens, in the Cathedral Church of York. About 1453 he married Elizabeth,* daughter of Ralph Lord Greystock: he died 15th Edward IV., 1475, leaving the following children, viz. :—

I. Sir Thomas Scrope, his son and heir, who was his successor, of whom hereafter.

II. Henry Scrope, second son, who succeeded his brother Sir Thomas in the title, of whom also hereafter.

III. Ralph Scrope, third son, who succeeded his brother Henry Scrope in the title, of whom also hereafter.

IV. Geoffrey Scrope, Clerk, fourth son, who succeeded his brother in the title, of whom also hereafter.

V. Alice Scrope, who married Sir James Strangeways, of Harlsey Castle, Yorkshire, Knt., by whom she left issue.

VI. Margaret, or Marjery Scrope, who married Sir Christopher Danby, Knt., of Thorp Perrow, by whom she left issue, for which see the DANBY pedigree.

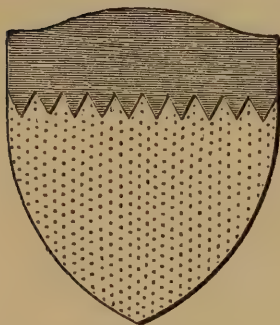
VII. Elizabeth Scrope, who married Sir Ralph Fitz-Randolf,† of Spennithorne, by whom she left issue, now represented by the family of Wyvill, of Burton Constable.

* Mr. Grainge, in his "Vale of Mowbray," says "He was designed by his father to marry a daughter of Lord Greystoke, but it does not appear that the marriage took place, nor is it certainly known to whom he was married." I think, however, judging from the Scropes' evidence at Swinton Park, which I have seen, and a memorandum upon the subject in the handwriting of the late Abstrupus Danby, Esq., that the marriage took place as stated in the text.

† *This Note will be found on the next page.*

Sir Thomas Scrope, (sixth Baron Scrope of Masham,) son and heir of Thomas Scrope, the fifth Baron Scrope of Masham: he was fifteen years of age in 15th Edward IV., 1475: and obtained livery of his lands 20th Edward IV., 1480. In June, 1480, he was a Commissioner of Array for the defence of the marches of Scotland: he was a Conservator of the Treaty between Richard III. and James King of Scotland, in September, 1484:* he was summoned to Parliament, from the 15th November, 22nd Edward IV., 1482, to 12th August, 7th Henry VII., 1492. In 1492 he was retained to serve beyond the sea, with one man-at-arms and fifteen archers. He married Elizabeth,† daughter of John Neville Marquis

The following Note belongs to the previous page:—



ARMS OF FITZ-RANDOLPH.

† Mr. Barker, in his "Three Days of Wensleydale," says, the Fitz-Randolphs "descended from Ralph, third son of Robert, Lord of Middleham, by Helewisia de Glanville. Ralph, eighth in descent from Robert, married Elizabeth, daughter and coheiress of Thomas Lord Scrope of Masham, and Upsal, and had by her a son who died unmarried; and four daughters, who all married, but one dying without issue, the inheritance devolved on Dorothea, wife of Francis Ash of Hunton; Alice, wife of Charles Dronfield; and Agnes, wife of Francis Wyvill of Little Burton [now called Low Burton, near Masham.] By this last marriage the manor [of Spennithorne] and the Constable Burton estate passed into the Wyvill family."—See p. 149.

* It is stated in a MS. in the British Museum (Harl. MSS. 542, fo. 34) that "the Lord Scrope of Yposall," as well as "the Lord Scrope of Bolton," was among the nobility who came to Kynge Richard," at the Battle of Bosworth Field, which was fought on the 22nd August, 1485. His name, however, is not included in the Act of Attainder which was soon afterwards passed against the adherents of Richard III., and he seems afterwards to have been received into the favour of his victor, Henry VII.

† She survived her husband, and afterwards became the wife of Sir Henry Wentworth, Knt. She by her will dated 7th March, 9th Henry VIII., bequeathed her body to be buried in the Black Friars, in London, by her said husband Thomas Lord Scrope, appointing that five trentals [a service of thirty masses for the dead] of masses should be sung and said for her soul at the place of her burial, and for her husband's soul, and also for the soul of Alice their daughter, likewise for the soul of Henry Wentworth, and for the

Montague.* He died on the 23rd April, 9 Hen. VII., 1493, and was buried in the Black-Friars, London, and left an only child, viz. :

Alice Scrope, who was twelve years of age in 9 Hen. VII., 1493, and married before Oct. 11th, 1495, Henry,†

soul of John Marquis Montagu her father, the Lady Isabel his wife, her mother, and for all Christian souls. She also gave to the Lady Lucie her sister, a Primer and Psalter, which she had of the gift of King Henry the Seventh's mother.

* He was the second son of Richard Nevill, Earl of Salisbury. Having taken part with his brother, the Earl of Warwick, in the attempt to restore King Henry VI., he was attainted, and was with him slain at the battle of Barnet, on the 14th April, 1471. His eldest son, George Nevill, was created Duke of Bedford, with an intention, on the part of the King, to marry him to his daughter, the Princess Elizabeth, but was afterwards degraded from all his dignities.

† Mr. Longstaffe, in his "Richmondshire," &c., says:—"From John Scrope, of Spennithorne, younger brother of the Lord Henry, who for a brief space reunited the slackened cords of relationship between the Baronial lines of Bolton and Upsal, proceeded three great families of Spennithorne and Danby, Cockerington, in Lincolnshire, and Womersley. The house of Cockerington seemed to have inherited all the fame of their elder cousins. "The thrice noble Sir Adrian," who died in 1623, was considered worthy of this bouncing stanza:—

"Tombs are but decent lay-books, they only keepe
Their names alive who in their wombes do sleepe ;
But who would pen the virtues of this knight,
A story, not an epitaph, must write."

His son, Sir Gervase Scrope, was a staunch Royalist, and received twenty-six wounds at the battle of Edge-hill, which caused him, as well they might, to be left on the field as dead. His son Adrian, on the day following, with great industry, sought for his body and found it senseless, but not lifeless; so that with much care the knight, in a few weeks, was restored to health, and survived for nearly ten years afterwards. Fuller says he had this information from Sir Gervase himself, who carried his arm in a scarf, and looked pale from loss of blood. Another "comely" Sir Adrian Scrope, of the Womersley line, was a noted Puritan, took up arms against his King, sat as one of his judges, and signed the warrant for his execution. After the Restoration, Scrope was in the Speaker's Chamber, as it was thought, to surrender himself under the King's proclamation, when Sir Richard Brown said to him, "What a sad case we have brought this kingdom into." "Why?" said Scrope. "Do you not see," replied Brown, "how it is ruined, now that the King is murdered?" Scrope hastily answered, "I

6th Lord Scrope, of Bolton. She died in 1501, leaving two children, viz.:

I. Alice Scrope, who died young.

II. Elizabeth Scrope.

Henry Scrope, 7th Baron Scrope of Masham, a younger brother of Sir Thomas Scrope, 6th Baron Scrope of Masham, succeeded him in the title. He was in the wars in Scotland, and fought at the head of the men of Mashamshire in the battle of Flodden Field, 1513. He was summoned to Parliament on the 28th November, 3 Henry VIII., 1511. He died before 6 Henry VIII., 1514, and left no issue. He was succeeded in the title by his younger brother,

Ralph Scrope, 8th Baron Scrope of Masham. He was summoned to Parliament 6 Henry VIII., 1514. His will is dated 10th August, 1515, and was proved on the 18th March following. He bequeathed his body to be buried before our Lady of Piety in Rivaulx Abbey, together with a legacy of £20 to that house. He also mentions therein Johanna, his wife, Geoffrey Scrope, Clerk, his brother and next heir. He died 17th September, 1515, and was buried at Rivaulx Abbey, as directed by his will. He left no issue, and was succeeded in the title by his younger brother,

Geoffrey Scrope, Clerk, 9th and last Baron Scrope, of Masham. He was born in 1485, and succeeded to the Barony in 1515. He died in 1517, aged thirty-three years, without issue, when the dignity fell into abeyance

will not make you my confessor;" an expression which was construed at his trial into an attempt to justify his conduct; and it was supposed influenced the judgment from perpetual imprisonment and confiscation (as in other cases), to execution. He was hanged, drawn, and quartered, at Charing-Cross, 17th Oct., 1660; but his quarters were given to his friends, and not exposed. Upon his trial he nobly observed, in allusion to Cooper, afterwards Earl of Shaftesbury, and others who were sitting with Lord Chief Baron Bridgman on the Bench:—"My Lord, I say this, if I have been misled, I am not a single person that have been misled. My Lord, I could say (but I think it doth not become me to say so), that I see a great many faces at this time that were misled as well as myself."

between the issue of his three sisters, Alice Strangways,* Margaret, or Marjery Danby,† and Elizabeth Fitz-Randolph;‡ and is still in abeyance.

Arms.—Azure, a bend or.

Crest.—Issuing out of a ducal coronet, a crab.

* Alice Strangways was the wife of Sir James Strangways, of Harlsey-castle, Knt. She left a son, Sir Thomas Strangways, and other children, but I believe her issue ultimately became extinct, so that the claim to the Barony of Scrope, of Masham, which is in abeyance, now rests with the representatives of the two families of Margery Danby and Elizabeth Fitz-Randolph, of whom hereafter.

† The present representative of Margery Danby it will be seen by the following pedigree, is Charles John Henry Mundy, Esq., of Ormsby, in Lincolnshire.

THE MUNDY PEDIGREE.

Catherine, the daughter of Christopher Danby, Esq., (the then representative of Margery Danby, as will be seen on referring to the Danby pedigree, *post*), married Sir Francis Armitage, of Kirklees, Bart., by whom she had a son,

Sir John Armitage, Bart., who married Margaret Thornhill, and had by her (with other children who all died without issue), a daughter,

Catherine Armitage, who married Christopher Tancred, Esq., of Whixley, who was the son and heir of Christopher Tancred, Esq., of Whixley, by Dorothy, the daughter of Sir Christopher Wyvill, Bart., (then one of the representatives of Elizabeth Fitz-Randolph, above mentioned). She had by her said husband (amongst other issue) a daughter,

Elizabeth Tancred, who married W. Dobson, Esq., of York, and by him had a daughter,

Ann Dobson, who married W. B. Mussingberd, Esq., of Ormsby, in Lincolnshire, by whom she had a son,

Charles Burrell Mussingberd, Esq., who married Ann Blackall, by whom he had a daughter,

Harriet Mussingberd, who married Charles Godfrey Mundy, Esq., of Markeaton, Derbyshire, by whom she had (amongst other issue) a son,

Charles John Henry Mundy, Esq., of Ormsby, in Lincolnshire, who is now (1863) living, and not only now represents Margery Danby, one of the above co-heiresses to the Barony, as above shewn, but also represents Elizabeth Fitz-Randolph, the other co-heiress, through Sir Christopher Wyvill, Bart., as will be shewn in the following note.

‡ Elizabeth Fitz-Randolph was the wife of Sir Ralph Fitz-Randolph, Knt., of Spennithorne, Lord of Middleham, by whom she had a son, who died unmarried, and four daughters, (one of whom died without issue) who

DANBY OF SWINTON-PARK.

LINEAGE.



John Danby, Lord of Great and Little Danby, or Danbie, and of lands in Thirsk, Hutton, and Scowston, had an only daughter and sole heiress, viz. :

Armetrude de Danby, who succeeded her father in his estates. She was given in marriage by William the Conqueror to Edmund Stringent, or Strograve, a soldier of fortune who accompanied him into England, and to whom he also gave certain lands in Thirsk. She had by this marriage a son and successor, viz. :

John Stringent, or Strograve, who was the first who called himself of Danby, after the lands which he had in

all married, viz., Dorothea, wife of Anthony Ash, of Hunton ; Alice, wife of Charles Dronfield, and

Agnes Fitz-Randolph, who married Sir Marmaduke Wyvill, Knt., M.P. for Ripon in 1553, and by him had a son,

Christopher Wyvill, Esq., who married Margaret, Daughter of the Hon. John Scrope, younger son of Henry, Lord Scrope of Bolton, by Elizabeth, his wife, daughter of Henry Percy, Earl of Northumberland, by whom he had a son and successor,

Sir Marmaduke Wyvill, Bart., who married Magdalen, daughter of Sir Christopher Danby, Knt., (for which see Danby pedigree, *post*), and by her had a son and successor,

Sir Marmaduke Wyvill, Bart., who married Isabel, the daughter and heiress of Sir William Gascoigne, Knt., and had by her a son and successor,

Sir Christopher Wyvill, Bart., of Constable Burton, and M.P. for Richmond, who married Ursula, daughter of Conyers, Lord D'Arcy, created Earl of Holderness, and by her had (amongst other issue) a daughter,

Dorothy Wyvill, who married Christopher Tancered, Esq., of Whixley, by whom she had a son,

Christopher Tancered, Esq., of Whixley, who married Catherine Armitage, as mentioned in the last note.

From this marriage is descended, as above described,

Charles John Henry Mundy, Esq., of Ormsby, in Lincolnshire, who, it will be seen, now represents the two remaining co-heiresses to the Barony of Scrope of Masham.

right of his mother. He married Margaret, a daughter of Thomas Catherall, by whom he had (amongst other issue) a son, viz. :

Thomas Danby, Esq., who succeeded his father, and married a daughter of Edmund Onley, or Ouldley, by whom he had a son and successor, viz. :

Edmund Danby, Esq., who married Mary, daughter of Thomas Fitz-Osborne, by whom he had issue, viz. :

I. Thomas, his eldest son and successor, of whom hereafter.

II. John, his second son.

III. Ann.

Thomas Danby, Esq., (the last mentioned,) succeeded his father and married a daughter of William Kirkeham, and by her had issue, viz. :

I. Richard, his son and heir, of whom hereafter.

II. William.

III. John.

Richard Danby, Esq., (the last mentioned,) succeeded his father and married Jane, or Joane, the daughter of Robert Conyers, and by her had a son, viz. :

Robert Danby, Esq., who succeeded his father, and married Cassandra, a daughter of Edward Thurland, Esq., and by her had a son and successor, viz. :

William Danby, Esq., who married Anne, the daughter of Sir Thomas Greene, Knt., by whom he had issue,

I. Thomas, his son and heir, of whom hereafter.

II. John.

III. Elizabeth, the wife of Gerard Salvin, of North Driffeld.

Thomas Danby, Esq., of Yafford, (above mentioned,) succeeded his father, and married Mary, the daughter of Sir Robert Tanfield, Knt., of Danby, by whom he left the following children, viz. :

I. William Danby, Esq., Lord of Danby and Yafford, who married Catherine, only daughter and sole heiress of John Bretwell, Lord of Yafford, 1394, by whom he had a son and successor, viz. :

I. Robert Danby, Lord of Great and Little Danby, and Yafford, who married the heiress of John Ayslebie, and whose son and successor was

I. Ralph or James Danby,* who married Margaret, daughter and sole heiress of Sir Richard Cogniers, Knt., of Cowton, (in whose right he had South-moors.) He was slain at the Battle of Bosworth Field. He had by his said wife three daughters and co-heiresses, viz.:

I. Margaret, or Margery,* the wife of Ralph Rokeby, Esq., of Moreton-Mortham, by whom she had the following children, viz.:

I. Ralph Rokeby, a lawyer.

II. A daughter, the wife of John Scrope.

III. John Rokeby, LL.D., a learned divine.

* I believe that the name of this person was *James*, and not *Ralph*, as invariably stated in the pedigrees of the Danby and some other families. In an Inquisition *post mortem*, taken at Richmond on the 5th June, 23 Henry VII., 1507, on the death of *James* Danby, Esq., the jurors found that James Danby, Esq., was seized in his demesne as of fee on the day on which he died of one messuage and half a carucate of land and two bovates of land with the appurtenances, in Yafford, in the county of York, &c.; and that he died on the 13th July, 2 Richard III., 1484; and that *Margery*, now the wife of Ralph Rokeby, *Alice*, late the wife of John Acclom, and *Margaret*, now the wife of James Strangwys, of Sneton, jun., are his daughters and next heirs; and that the said Margery was then of the age of 15 years and upwards,—and that the said Alice was then of the age of 12 years and upwards,—and that the said Margaret was then of the age of eight years and upwards.—*Esct. Bund.* 24 Henry VII., No. 2. It appears, however, by another Inquisition *post mortem*, taken 33 and 34 Henry VIII., No. 10, on the death of Margery Rokby, that she is described as “the widow and relict of Ralph Rokby, deceased, one of the three daughters and heiresses of *Ralph* Danby, also deceased.” How to reconcile these two Inquisitions, I am at a loss to tell.

* According to the first of the above Inquisitions her Christian name was *Margery*, which fact is confirmed by her will, dated 27th September, 1540, which has been published by the Surtees Society amongst the Richmond Wills. She is the person referred to in the poem of “The Felon Sew of Rokeby and the Fryers of Richmond.”

“Then mistress Rokeby came anon,
And for her [the Sew] brought shee meate full soone,
The Sew came unto her,
She gyve her meate upon the flower.”

IV. Richard Rokeby, a soldier.

V. Henry Rokeby.

VI. Christopher Rokeby.

VII. Jane, the wife of ———Tocketts.

II. Agnes, or Margaret,* the wife of James Strangways, of Ormsby, by whom she had issue Sir Richard Strangways.

III. Alice, the wife of John Aclam, Esq., of Moreby, (son of Richard Acklam,) by whom she had issue, viz.:

I. Margaret, the wife of Thomas Hawksworth, Esq., by whom she had issue,

II. Ellen, the wife of Marmaduke Thwaites, of Little Smeeton.

III. Anne, the wife of Thomas Metham, of Barnhill, by whom she had issue,

II. Richard Danby.

III. Ralph Danby.

IV. John Danby, of Leake, who married Margaret, the second daughter and co-heiress of William Moston, of Henscott, in Warwickshire, and of Caville, near Howden, in Yorkshire, by whom he had a son, viz.:

I. James Danby, of Braworth, who married a daughter of ——— Walworthe, and by her had issue, viz.:

I. William Danby, of Leake, who married Margaret, daughter of Gilbert or Roger Leigh, Esq., of Middleton, by Elizabeth, daughter and heiress of John Nevill, Esq., of Cudworth, by whom he had a son, viz.:

I. James Danby, of Braworth, who married a daughter of ——— Warde, by whom he had issue, viz.:

I. Thomas Danby, of Leake, who married Ann, daughter and co-heiress of Ralph Anger, by whom he had issue, for which see foot note.†

* Her name was *Margaret*, as will appear by the first of the above Inquisitions. For the issue of this marriage see 1st vol. of *Burke's Commoners*, page 136—Strangwayses of Well.

†PEDIGREE OF THE DANBYS OF LEAKE.

Thomas Danby, of Leake, who married Anne, the daughter and co-heiress

II. William Danby, of Knaresbrough, who married Katherine, daughter of Richard Greene, of Newby, and by her had issue, viz:—

I. Christopher.

II. Thomas.

III. Henry.

IV. John.

V. William.

VI. Francis.

VII. Myles.

VIII. Walter.

IX. Alice.

of Ralph Anger, by whom he had issue, viz :

I. Thomas Danby, his eldest son, of whom hereafter.

II. Miles Danby, who married and had issue.

III. John Danby, of Boroughbridge, who married and had issue.

IV. William Danby, who died unmarried.

V. Francis Danby.

VI. Edmund Danby, of Boroughbridge, who married and had issue.

VII. Elizabeth, the wife of Michael Metcalf, of Little Otterington.

VIII. Jane, the wife of Thomas Middleton, of Middleton, in Cleveland.

IX. Mary, the wife of Thomas Appleton, of Great Smeaton.

Thomas Danby, (above mentioned) of Braworth, (who died in the lifetime of his father) married Elizabeth, daughter of Christopher Carus, Esq., of Halghton, in Lancashire, by whom he left issue, viz :

I. John Danby, of Great Leake, Esq., his eldest son, of whom hereafter.

II. Thomas Danby, who was slain at the Battle of Naseby, in the service of King Charles I., 14th June, 1644.

III. Christopher Danby.

John Danby, (above mentioned) of Great Leake, who married, firstly, Mary, daughter of William Swynbourne, of Cap-Heaton, in Yorkshire, by whom he had an only daughter, viz :

I. Elizabeth, who married 1st, James Shafto, of Tanfield-Leigh, Durham ; 2ndly, William Salvin, of Brandon-hall. He married, secondly, Mary, daughter of Anthony Meynell, of Kilvington, by whom he had issue, viz :

II. Anthony Danby, who was twelve years of age on August 23rd, 1665.

III. Joseph Danby, who was then seven years of age.

IV. James Danby, who was then six years of age.

V. John Danby, who was then four years of age.

VI. Elizabeth Danby, who was then ten years of age.

VII. Agnes Danby, who was then three years of age.

VIII. Ursula Danby, who was then one year of age.

X. Mary, the wife of William Haxby.

II. Christopher Danby, of Scarborough.

III. Robert Danby,* of Rounton, or Rainton, near Topcliffe.

IV. Leonard Danby, Parson of Cowsby.

V. Anne Danby.

VI. Barbara, the wife of Thomas Allen.

V. Sir Robert Danby, Knt., the ancestor of the Danbys of Swinton, therefore of him I proceed next to speak.

Sir Robert Danby, Knt., was brought up to the profession of the law, and, as his subsequent history shews, became a very eminent lawyer. His name occurs as an Advocate, in the Year Books, as early as in the year 1431. On the 14th February, 1443, he is therein styled Serjeant, soon after which he was appointed one of the King's Serjeants. On the 28th June, 1452, he was raised to the Bench, as one of the Judges of the Court of Common Pleas, and on the 14th May, 1461,

* PEDIGREE OF THE DANBYS OF KIRKBY KNOWLE.

Robert Danby, of Rounton, or Rainton, near Topcliffe, had a son,

William Danby, of Kirkby Knowle, who died in 1577, and left (amongst other issue) a son,

Edmund Danby, who died in 1587-8, and left (amongst other issue) a son,

Henry Danby, who had an only son,

George Danby, of Kirkby Knowle, afterwards of Upleatham, and then of Gisborough. He married Elizabeth Crowe, of Upleatham. He died in 1670, and left (amongst other issue) a son,

Roger Danby, of Gisborough, who married Abigail Nicholson. He died in 1691, and left (amongst other issue) a son,

William Danby, of Gisborough, who left (amongst other issue) a son,

Roger Danby, of Gisborough, who married Jane, daughter of Joseph Anderson, M.D., by whom he left an only son,

William Danby, who married Elizabeth Thompson. He died in 1822, aged eighty-one, leaving an only surviving son,

William Danby, Esq., formerly of Gisborough, but now of Park House, Exeter, who was born 15th August, 1807, and is now (1863) living.

(immediately after the accession of Edward IV. to the throne) he was made Chief Justice of that court. Sir Robert had the reputation of being an excellent judge, and his judgments have at all times been looked upon with great respect, and held as authorities. In the year 1471 he was a Knight. It appears by a letter from the Earl of Salisbury, in the Paston Correspondence, that Sir Robert was a decided Yorkist, as was also his son and successor, Sir James Danby, Knight. After he had acquired considerable wealth by his practice, he purchased Thorpe-Perrow, which soon afterwards became the residence of himself and family, and continued to be used as such by his descendants, down to the year 1688, when it was sold by Sir Abstrupus Danby, Knight, to Sir William Blackett, through whom it has since passed into the hands of Mark Millbank, Esq., its present owner. He married, first, Katherine, daughter of Ralph Fitz-Randal; who, dying without issue, he married, secondly, Elizabeth, daughter and co-heiress of William Aislaby, in whose right he held lands, &c., in Durham, Darlington, Gateshead, &c. He was also possessed of the Manor of Scruton, which he had by exchange with his brother William, Lord of Danby and Yafforth, for lands in Great and Little Danby. He came by his death by committing suicide, and that too after a very ingenious fashion. He directed his Park-keeper to shoot any person whom he should find on that night in the park, who would not stand and speak when called upon. Having given these directions, he went himself into the park on that same night, and being met and challenged by the park-keeper, he refused to stand or speak, whereupon the keeper, acting strictly according to his orders, but little dreaming that it was his master, fired at him, and shot him dead. This melancholy occurrence took place in the year 1472, and, as it is believed, at Thorp-Perrow. There is a very good portrait of the Chief Justice at Swinton Park, by an unknown artist. He left by his second marriage, the following children, namely:

I. Sir James Danby, Knight, his successor, of whom I speak presently.

II. Richard Danby, of Crayke, who married Joane, the daughter of Sir John Roecliffe, Knight, a Baron of the Exchequer, and by her had issue, namely:

I. Ralph, or Richard, of Great Langton, who married four wives in succession; his first wife was Margaret, daughter of Phillips; his second wife was Margery, daughter of Swales: his third wife was Margaret, daughter of Kayes; and his fourth wife was Dorothy Weresdale: he had no issue by his first and third wives; by his second wife he had two sons, namely:

I. William Danby, of Great Langton, (living 1585). He married Dorothy, daughter of Brian Eglesfield, of Hude, by whom he had an only daughter, namely:

Grace, who married William, son and heir of Francis Tankard, of Peynell, by whom she had a daughter, namely:

Dorothy, who married Sir Henry Jenkins, Knt. She was two years old in 1585.

II. Lancelot Danby, of Great Langton, who married Rosamond, daughter of Keyes, of near Leeds, and by whom he had issue, namely:

I. Christopher; II. Ralph; III. Thomas; IV. Martin; V. Robert; VI. Magdalen; VII. Susan; VIII. Mary; IX. Grace.

The above mentioned Ralph, or Richard Danby, had by his fourth wife, the following issue, namely:

III. Peter Danby, of Scotton, near Knaresborough.

IV. Jane, the wife of Thomas Pybus, of Great Fencote.

V. Mary, the wife of Richard Gale, of Scruton.

II. Thomas Danby.*

* This Thomas Danby is usually stated in the Danby pedigrees to have died without issue; he is, however, described in Harl. MS., 1550, fo. 147, "Visitations of Lincolnshire, 1564—1592," as having been standard bearer

III. the wife of Hall, of Laverton, near Sherborne.

III. Margaret, who married Christopher Barton.

IV. Margery, who married Sir John Salvine, Knt., (who was dead in 1496). She was living at York in 1496, and was dead in 1499. In her will dated in 1496, she mentions her sister Elizabeth, her niece Langton, her goddaughter Margery Danby, her sister Langton, her sister Barton, her brother Langton, and her brother Richard Danby. She had by her said husband a son,

Richard, who was living in 1496.

Sir James Danby, Knt., of Thorp-Perrow, above mentioned, succeeded his father, Sir Robert Danby, Knight, in his estates. He was a valiant soldier; and, espousing the cause of the White Rose of York, he was in 1482, made a Knight Banneret, by Richard Duke of Gloucester, afterwards King Richard III., in Hutton-field, near Berwick. He had the honour of being present and taking part in the coronation of Richard III. and his Queen Anne, on the 6th July, 1483.* He married

to Thomas, Duke of Norfolk, at the Battle of Flodden Field, and that he married . . . Marcall, of Marcall, in Lincolnshire, by whom he had the following children, viz: I. Symonde; II. James, (who had a base son); III. Ann, the wife of Thomas Savill, of Copley; and IV. Dorothy, the wife of Surgant Roksby, of Skyres, in Yorkshire. Symond Danbye, above mentioned, is also therein described as a merchant of Hull, and as having married Ann, daughter of John Billesby, of Billesby, in Lincolnshire, by whom he had the following children, viz: I. Grace, the wife of John Ashburn, of Umberstone, in Lincolnshire; II. Thomas Danby, of Billesby, in Lincolnshire; III. Margaret, the wife of Richard Dyxon, of Hull; and IV. Andrew Danby, of Grymsby. It is further stated therein, that the last mentioned Thomas Danby, of Billesby, married Jane, daughter of William Armstrong, of Corby, in Lincolnshire, by whom he had a son, Thomas, who died young. This family bore for arms, ar., three chevronells, braced in the base of the escutcheon sa., on a chief of the second three mullets of the first, (the same as the Danbys of Swinton Park), but bearing a crescent for a difference, signifying that the family were descended from a second son of the house of Danby.

* See Bentley's "Excerpta Historica," page 384.

before the 22nd December, 6 Edward IV., 1466, Agnes, the daughter and sole heiress of Sir John Langton, Knight, of Farnley, near Leeds, by a daughter and co-heiress of Robert Neville, Esq., of Gargrave. By this marriage he acquired, with other large possessions, the manor of Farnley,* which remained in the Danby family until the year, 1799, when it was sold by the late William Danby, Esq., for little more than the value of the timber upon it, to Mr. James Armitage, an opulent merchant, in Leeds. Sir James died on the 9th October, 12 Henry VII., 1496, (his wife having survived him till the 26th March, 6 Henry VIII., 1514.) By his will, which is dated the 16th March, 1496, and proved at York on the 28th June, 1497, he desired, if he died in the parish of Leeds, to be buried in the Church at Leeds, and mentions the following persons, &c.:—The Master and Parson of Well; such heirlooms as left by my father at Thorpe, which appears by my father's testament; Roger Dodisworth, — Park at Farnley; a messe-booke worth 40s. to be bought and delivered to the chapel at Yafford; my wife Dame Annes Danby; William Metcalfe; Christopher my son; my brother Richard Danby; William Calverley, Esq.; Sir Thomas Danby, Parson, of Tenerington, and Edmund Malliverey. He left by his said wife two sons, namely:

I. Sir Christopher Danby, Knight, his successor, of whom presently.

II. James Danby, who is mentioned in the will of his brother, which is dated 16th March, 1517.

Sir Christopher Danby, Knight, of Farnley and Thorp-Perrow, succeeded his father in his estates, and ulti-

* Thoresby, in his "Ducatus Leodiensis," (edit. 1715) page 201, says, "This is indisputable that Agnes, daughter and sole heir of the last John Langton, Esq., brought this lordship of Farnley to the ancient family of the Danbys, together with the lordships of Akenshaw and Howton, together with Long-Villiers, Heaton, Mowthorp, Langton, West Lutton, and an estate at York."—See also Inquisition *post mortem*, taken at her death. Ao. 6, Henry VIII., No. 34.

mately became, in right of his wife, the first Lord of Mashamshire. He was born in 1468, and married Margery, the second daughter of Thomas le Scrope, fifth Lord Scrope of Masham and Upsall, and one of the co-heiresses to that Barony at the decease of her brother Geoffrey, the ninth and last Lord.—(See the Scrope pedigree *ante*, p. 242). By this marriage, the Danbys acquired, with other manors and extensive possessions, the manor of Masham and Mashamshire. He died on the 17th March, 9 Henry VIII., 1517. In his will, which is dated the 16th March, 1517, and proved on the 10th November, 1518, he directed his body to be buried at Leeds, and mentions his father, mother, wife, son, (Christopher), and his brother James Danby. According to Thoresby's "Ducatus Leodiensis" (edit. 1715) Appendix page 573, there was formerly in the south quire of the Leeds Parish Church, the following inscription:—*"Orate pro animabus Christopheri Danby, militis, & Domina Margeria uxore sua, ac filiorum & filiarum, qui istam fenestram fieri fecerunt, anno Dom. M.CCCC.XXI."* And also, besides the arms, were effigies of a knight kneeling, with his wife. He left by his said wife a son and successor, namely:

Sir Christopher Danby, Knight, Lord of Farnley, and also Lord of Mashamshire in right of his mother. He was a minor of fifteen years of age when his father died, and was in wardship to King Henry VIII. He was High Sheriff of Yorkshire 37 Henry VIII., 1545, and was a benefactor to the Leeds Parish Church, which appears, on account of its vicinity to Farnley, to have been at this time the burial-place of the family. He married in 1514 (when only twelve years old) Elizabeth, the third daughter of Richard Neville, second Lord Latimer,*

* Richard Neville, second Lord Latimer, had his seat at Snape Castle, and was therefore near neighbour to Sir Christopher Danby, who resided at Thorp-Perrow (the father of the juvenile husband). This Lord Latimer was one of the Commanders of the King's Army, in the 1st Henry VII., 1486, at the Battle of Stoke, when Lambert Simnel (the Pretender, who honoured



P. 255.

SNAPE CASTLE.

of Snape Castle, and sister to John Neville, third Lord Latimer,* whose second wife was Catherine Parr,† afterwards the wife of King Henry VIII.; also sister to Susan, the wife of Richard Norton, the leader of the Rebellion of 1569, known in history as “The Rising of the North.” It will be seen (*ante* page 106) that a peerage, and a pension to support the dignity, were offered to him by King

Masham with a visit, as has been stated *ante* p. 84,) and the Earl of Lincoln, and his adherents, sustained a signal defeat, and the Pretender himself taken prisoner. He was also a Commander in the English Army, under the Earl of Surrey, which marched to the relief of Norham Castle, then invested by the Scots. And he also acquired high reputation at the Battle of Flodden Field, mentioned *ante* p. 89.

* John Neville, third Lord Latimer, also resided at Snape Castle. He joined the Insurrection known as the “Pilgrimage of Grace,” and was appointed by the rebels in that insurrection along with Lord Scrope, of Bolton, Lord Lumley, and Lord Darcy, their Deputies to treat with the Duke of Norfolk (who commanded the army sent against them) when they succeeded so well in their negotiations, that all concerned in that affair were allowed to return to their homes without being further molested. His son John Neville, the fourth and last Lord Latimer, appears not to have followed in the footsteps of his father in matters of religion, having turned Protestant, and therefore did *not* join the Earls of Northumberland and Westmoreland, in the Rebellion of 1569. This his reticence appears to have given great offence to the Earls and their party, who accordingly took their revenge upon him, by entering and spoiling his house at Snape, from which they took property of great value, as well as his horses and cattle from his park and grounds at Snape, to his no little mortification. I have already (*ante* p. 108) alluded to the serious affray which this last-mentioned Lord had with his cousin Sir Thomas Danby (between whom a very bad feeling appears for a long time to have existed). To such a length had this quarrel gone that he nearly ran through one of Sir Thomas’s men with a rapier, for which the Archbishop of York, in 1563, was about to complain to the Queen, of his “evell and misorderede” life, and of his not being a “man of government,” which meant that he was in such a state as not to be competent to govern, or take care of himself.

† Catherine Parr was a daughter of Sir Thomas Parr, and was born at Kendall. She was blessed with *four* husbands. Her first was Mr. Burghe—her second was John Neville, third Lord Latimer (the father of the hot-brained Lord just alluded to)—her third was King Henry VIII.—and her fourth, and last, was Admiral Seymour, brother of the Protector Somerset, by which last marriage she became aunt to King Edward VI., who was already her son-in-law.

Henry VIII., but were declined. In a Commission of Array for the County of York, made in the 36th Henry VIII., 1545, during the war with France and Scotland, he was required to provide and send ninety footmen as his contribution to the force. On the 22nd September, 1549, he presented as patron of the living of Thornton-Watlass. He is described in several documents as living at New Park, in the County of York, and especially so in the award made between him and Lord Derby, dated 5th October, 1570, relating to the disputed boundary between Mashamshire and the parish of Kirkby-Malzeard. Sir Christopher died in the year 1571, leaving a will, which was dated the 27th March, 1568, and proved in the Court of the Dean and Chapter of York, on the 19th March, 1571. In this will he thus makes mention of the following persons, viz: "Elizabeth, my wife—to every one of my daughters, four hundred marks each—my daughter Magdalen, wife of Marmaduke Wyvell; Dame Ann Paycocke; John Mallory; Katherine Maulivery, daughter of Sir Edmund Maulivery; my son James Danby; my son Marmaduke; my son William; my son Sir Thomas Danby (whom he appoints Executor); Thomas Danby, son of the said Sir Thomas." According to the Warburton MSS., in the British Museum, No. 1394, page 327, there was formerly the following inscription, "In the Church of Leedes: '*Orate p. bono statu Xpoferi Danby Armigeri, et Elizabethae uxoris ejus. A°. D'ni. m.cccccc. tricessimo.*'" Below which were the figures of iij. sonnes and six daughters; and the arms of the Danbys, with helmet and crest, were painted on the wall of the church, as were also the arms, &c., of the Langton family." Sir Christopher left by his wife the following children, viz:

I. Sir Thomas Danby, Knt., his successor, of whom hereafter.

II. Dorothy, the wife of Sir John Neville, Knt., of Liversedge, a noble scion of an ancient stock who traced their pedigree from one of the Saxon Kings of England.

He was High Sheriff of Yorkshire in 3rd Elizabeth, 1560, and in the 12th Elizabeth, 1569, was convicted of High Treason, for having joined the Earls of Northumberland and Westmoreland, in the Rebellion of 1569, before alluded to, whereby all his lands, &c. (which were very considerable) were forfeited. He appears to have taken a very active part in the Rebellion, from its commencement, and, according to the confession made by the Earl of Northumberland, previous to his execution, was not only privy to, and took an active part in, the planning of the conspiracy, but joined the Earls at Brancepeth, previous to the rising. After the failure of the Rebellion he escaped to Hume Castle, in Scotland, where he was sheltered for some time by Lord Hume. He was still at Hume Castle on the 17th April, 1570, but shortly afterwards escaped from thence to Flanders, where he was joined by his wife to share his sorrows with him in his adversity. In 1571, he was at Lovaine, and from thence "departed towards Rome." He became a pensioner of the King of Spain, who allowed him £60 a year for the support of himself, his wife, and children. Previous, however, to his departure for the continent, every effort was made by his devoted wife to procure his pardon, or, at all events, to save his life, but without effect. In a letter from Sir T. Gargrave to Cecil, dated 13th February, 1670, accompanying her examination taken before him and Sir Hugh Savile, he says, "Lady Neville is left with ten children in a very 'pore estate,' and she thinks that 'yf her husband might have his lyfe, he would come in and submit hymself to imprisonment, or otherwise, as shuld please the Queenes majastie,'" but this too proved of no avail with the remorseless Queen. His name is included in the list of "Names of those that were endyted for the conspiracy of treason, 1 Sep. An. 11 Eliz., at Topclyf, in the County of Yorke," as "John Nevill, of Lyversedge, Knight,"—also, in "An acte for the confirmation of th'Attaynders of Charles, Earle of Westmoreland, Thomas, Earle

of Northumberland, and others—xiiij. Eliz. c. xvi.”—as “Sir John Nevill, late of Leversedge, county of York, Knight.” His estates having thus become forfeited, Queen Elizabeth, in July, 1573, granted them out to Edward Carey, one of the grooms of the Privy Chamber, and others; whilst she, with her usual generosity (?) and liberality (?) in February, 1574, granted to “Robert Nevill, Gent.,” his son, out of the father’s large possessions, (which had thus fallen to her), the miserable pittance of £20 a year, and that only during her pleasure, to be paid by the Receiver of York, out of Leversedge. Sir John Nevill himself, however, was allowed to remain to the end of his days, and to die an exile from his country, in order to gratify the revengeful spirit of a Queen, whose soul was as much a stranger to the true knowledge of the attributes of mercy, as her heart was to the better and finer feelings usually possessed by her sex :

“The quality of mercy is not strain’d;
It droppeth, as the gentle rain from heaven
Upon the place beneath; it is twice bless’d;
It blesseth him that gives, and him that takes:
’Tis mightiest in the mightiest; it becomes
The throned monarch better than his crown:
His sceptre shows the force of temporal power,
The attribute to awe and majesty,
Wherein doth sit the dread and fear of kings;
But mercy is above this sceptred sway:
It is enthroned in the hearts of kings:
It is an attribute to God himself;
And earthly power doth then show likest God’s,
When mercy seasons justice.

.....consider this,—
That, in the course of justice, none of us
Should see salvation: we do pray for mercy;
And that same prayer doth teach us all to render
The deeds of mercy.”—*Shakspeare*.

Lady Neville had by her husband the following children, viz:

I. Robert Neville.

II. A daughter, the wife of Mr. Aiscoughe.

III. A daughter, the wife of Mr. Cholmley—and seven other children.

III. Margaret, the wife of Christopher Hopton, Esq., of Armley-hall, who left issue.

IV. Margery, the wife of Christopher Mallory, Esq.,* of Wothersome, in the West Riding, son and heir of Sir William Mallory, Knt., of Studley, by Jane, daughter of Sir John Norton, Knt., who died without issue.

V. Elizabeth, the wife of Thomas Wentworth, Esq., of Ashby, second son of Sir John Wentworth, of Elms-hall.

VI. Mary, the wife of Sir Edward Maleverer, of Arne-cliffe, who left issue.

VII. Anne, the wife of Walter Calverley, heir to Sir William Calverley, Knt., of Calverley,† who died leaving the following children, viz:

I. William Calverley, who succeeded his father, and married and left issue.

II. Christopher Calverley, who was living in 1568.

III. Edmund Calverley, who married and had issue.

VIII. Magdalen, the wife of Marmaduke Wyvill, Esq., who died leaving issue; from whom the Wyvills of Constable-Burton, are descended.—See Burke's "Extinct and Dormant Baronetcies," 1591.

IX. Jane, the wife of Roger Meynell,‡ Esq., of Hal-naby, and Hilton, who died leaving an only son, viz:

I. Edmund, who married Thomasina, daughter of

* Christopher Mallory's sister Margaret married John Conyers, of Eaton-on-Usk, and had by him Christopher Conyers, who married a sister of the celebrated Cardinal Allen, and his sister Dorothy married the celebrated Sir George Bowes, of Streatlam, who figured so conspicuously in putting down the Rebellion of 1569. From this we learn that the Danbys and Sir George Bowes were connected by marriage, although taking different sides in that Rebellion. This may account in some measure for the escape of Christopher Danby, and Sir John Neville, after the failure of the Rebellion.—See Walbran's "Lords of Studley."

† See "Burke's Commoners," p. 674.

‡ See Ibid, p. 402.

Ralph Tancred, of Arden, Esq., by whom she had a son, Charles Meynell, of Hilton.

X. Christopher Danby, Esq. (2nd son) who married Margaret, daughter of Sir William Calverley, Knt., and widow of Robert Beeston, of Beeston-hall, Esq. Having thus allied himself to the knightly family of the Calverleys, and that too by the marriage of a widow in the possession of a comfortable home and establishment, with an ample fortune wherewithal to support it, he took up his residence at his wife's mansion (Beeston-hall). There he might have ended his days in peace and affluence, had not his strong sense of the wrongs done to his co-religionists, impelled him to join his relatives, the Earls of Northumberland, and Westmoreland, in the disastrous Rebellion of 1569, whereby he brought ruin upon himself and his family. For this he was convicted of High Treason, and attainted, whereby his estates became forfeited to the crown, and he had to seek his own safety by fleeing to a foreign land, there to drag out the remainder of his days in exile, living upon a paltry pittance of £30 a year, and for which even he was indebted to the hand of a stranger. In connection with the Rebellion before alluded to, his name first appears in a document in the British Museum, (*Calig.* c. 1, 347), dated 2 November, 1569, in which he figures as "Christopher Danby, son of Sir Christopher Danby, a great doer in these matters," [meaning that he was a great plotter of Rebellion,] and "evil of religion," [a Roman Catholic]. And after the unsuccessful issue of the Rebellion, his name again appears in another letter of Lord Scrope (of Bolton), dated 1st January, 1570, in which it is said that Christopher Danby is at one John Scott's house, at Colebeck; which John Scott, on being sent for, denied, and was committed to prison. And also, as to his having been at Leeds with two hundred rebel horsemen. He however succeeded in effecting his escape into Scotland, and then we have his name included in another docu-

ment, dated 8th January, 1570, containing the "Names of such Rebels and fugitiv as the Erle of Sussex doth demand of the Lord Regent" [of Scotland]. And, again, the Earl of Northumberland himself, in his confession, which he made previous to his execution, gives the name of Christopher Danby as one of the parties who were privy to, and took an active part in, the conspiracy for the Rebellion, and as one of the plotters of it. And Christopher Norton, too (the seventh son of old Richard Norton, "the Patriarch of Rebellion,") in his confession also stated that "Christopher Danby toyld me, ryding from Raby, the [Spanish] Imbasator at London, hayd promysed to aid them with ather one hondryd southand crowns, or else V hondryd southand: and that the Erles shold have hayd thame, shortly after;" which was certainly a most damnatory piece of evidence against him, as, if true, it proved him to have been privy to an arrangement by which he and his co-conspirators were to receive assistance in their enterprize from a foreign Catholic power. Accordingly, we find included amongst the "Names of those that were endyted for the conspiracy of treason, 1 Sep. An. 11 Eliz., at Topclyf, in the county of Yorke," the name of "Christopher Danby, Beiston, Esq.," as also in "An Acte for the Confirmation of th'Attainders of Charles, Farle of Westmorelande; Thomas, Earle of Northumberland, and others.—13th Eliz. c. xvi.," the name of "Christopher Danby, late of Beiston, Esq." He, however, succeeded in evading his pursuers, and in effecting his escape into the Low Countries, and in June, 1572, we find that he was an exile existing there upon a pension of £30 a year, allowed him by King Philip. The last trace I can find of him is in a letter of Dr. Thomas Wilson, (who was sent into Flanders to procure the banishment of the fugitive rebels) in which he says that he was then at Namur. Such was the sad and eventful history of this scion of the once noble house of Danby, which, with that of Sir John Neville, his brother-in-law, lend a melancholy interest to

this portion of the pedigree. He left, by his wife, two daughters, viz:

I. Mary Danby.

II. Elizabeth Danby.

XI. John Danby (3rd son) who died without issue.

XII. James Danby (4th son), of Scruton (1585), but afterwards, it is supposed, of Ellington, who married Isabella, a daughter of Richard Meynell, of Eslyngton, Yorkshire, by whom he had the following children, viz:

I. Christopher Danby, who was born about 1564.

II. James Danby.

III. Francis Danby.

IV. John Danby.

V. Elizabeth Danby.

XIII. Marmaduke Danby (5th son), of Masham, Esq. He was appointed supervisor under the will of John Dodsworth, of Masham, dated 6th April, 1584; he was living in 1600. He married a daughter of Parker, and left the following children:

I. Christopher Danby, the "unjust steward" of the Danby estates. He was living in 1608, and was then a party to a suit in Chancery with Edward Lord Bruce.

II. Elizabeth Danby.

III. Mary Danby.

XIV. William Danby (6th son), living in 1590.

Sir Thomas Danby, Knt., above-mentioned, in the year 1571, succeeded his father in his estates, and as Lord of Mashamshire. He was born about 1530, and was returned in Barnard's Survey of Duchy Lands in the County of York, taken in 19th Elizabeth, 1577, as holding the manor of Farnley, of the Honor of Pontefract. He was High Sheriff of Yorkshire in 18th Elizabeth, 1576. In 1583, he was a Justice of the Peace for the North Riding, there being then only twenty-one justices in number.*

* See Calendar of Justices of the Peace for the North Riding of Yorkshire, taken in 1583.—*Harl. MS.*

He married Lady Mary Neville, second daughter of Ralph Neville,* fourth Earl of Westmoreland, to whom he was espoused in the 26th Henry VIII., 1534-5, when he was only four years old, her fortune being 1050 marks or £700. She was aunt to Charles Neville, sixth Earl of Westmoreland, who joining with the Earl of Northumberland in the Rebellion of 1569, before alluded to, was attainted, when all his honours and very great possessions became forfeited. In the 8th Elizabeth, 1565-6, Sir Thomas joined with his father in the purchase of the manors of Healey and Ellington from Henry Lord Scrope of Bolton, besides other lands, together with claim to all badges of seignory whatsoever; and in the 29th Elizabeth, 1586-7, he bought of William Singleton of Fountains, Gentleman, the capital messuage of Pot, with the lands thereto appertaining, and all his claims of right to the Royalties, wastes, &c. He also purchased the

* "He was descended from Ralph Neville, the first Earl of Westmoreland, K.G., by his second wife Joane, daughter of John of Gaunt, whose possessions were so extensive that besides the castle of his Anglo-Saxon ancestors, and those of Brancepeth, Middleham, and Sheriff Hutton (inherited through Norman heiresses of great name), he possessed about fifty manor-houses; and his feudal following was so grand, that, at times, he assembled in the great hall at Raby, no fewer than 700 knights, who lived on his lands in time of peace, and followed his banner in war. Even the Earl's children were more numerous than those of his neighbours. He was twice married; and the Duchess of York, known among the Northern men as "The Rose of Raby," was the youngest of a family of twenty-two. John Neville (Ralph's eldest son by his first Countess) was progenitor to those chiefs who, as Earls of Westmoreland, maintained baronial rank at Raby, till one of them risked and lost all in the great Northern Rebellion against Elizabeth. Richard Neville (Ralph's eldest son by his second Countess), obtained the hand of the heiress of the Montagues, and with it their Earldom of Salisbury, and their vast possessions. In the continental wars and domestic struggles in which Englishmen indulged during the 15th century, Salisbury was recognised as a man of military prowess and political influence; but almost on reaching middle age his fame grew pale before that of his eldest son, Richard Neville, who espoused the heiress of the Beauchamps, who, in her right, obtained the Earldom of Warwick, and who, as times passed on, became celebrated throughout Europe as the 'King-maker.'"—*The Wars of the Roses*, by J. G. Edgar, p. 14.

manors of Bramham-Biggin, and South Cave. In the year 1586 he erected Farnley Hall, as appears by an inscription on the front of it.* I have already, at page 108, alluded to the serious quarrel he had with his cousin John Lord Latimer. He died in his manor-house at South Cave, on the 13th September, 1590. In his will, which is dated the 3rd September, 1590, and proved at York, on the 22nd Sept., 1590, he describes himself, as "Sir Thomas Danby, of South Cave, Knight," and directs his body to be buried in the church of South Cave. He thus makes mention of the following persons, &c., in his said will:—"To Richard Danby, my son, the manor [of South Cave] and my lordship of Wytherley, —Mr. William Danby, my brother,—Robert Danby, my son (whom he appointed sole executor),—Mrs. Ann Calverley, Parsonage of Watlass,—Hector Danby, my son,—my son Thomas Danby, deceased,—Christopher, my son Thomas son,—the poor of Farnley,—my brother Marmaduke Danby hath a pawn of Christopher Danby's farm of Langton,—Christopher son of said Marmaduke, —Mr. James Danby, my brother."† He left by his wife, Lady Mary (who survived him till the 14th of March following), the following children:

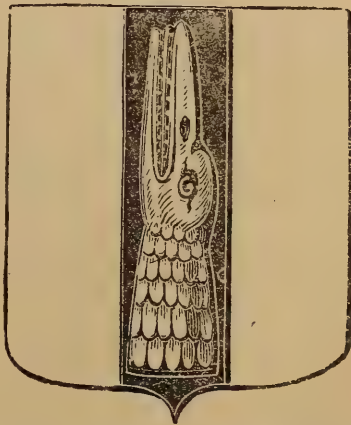
I. Thomas Danby, Esq., who in the 19th Elizabeth,

* Thoresby, in his "*Ducatus Leodiensis*," edit. 1715, p. 199, says, Farnley Hall was "a stately fabrick," and that "upon the front thereof is this inscription, '*Builded in the year of our Lord 1586, and in the reign of the Queen 28, by Sir Thomas Danby, Knight.*'" He also says, "On one side of the Inscription is the paternal Coat, and on the other that with seven quarterings, above the whole are 19 Coats besides the Danbys."

† According to an Inquisition *post mortem*, taken at Methley, on the 7th July, 35th Elizabeth, 1593, he held at the time of his death—"the manor of Masham of the Queen, as of her castle of Richmond—the manor of Mowthorpe—the manor or grange of Mossa and lands in Scruton—the manor of Farnley, &c., and manor of Clackheaton, and manor of Scoles—the manor of Thorpe-perrowe, and manor of Watlass—the manor of Driffild—the manor of Wibsey—the manor of Bramham-Biggin—Pott Grange, &c., in Pot, with Cosh-head, &c., held of the Queen *in capite*—the manor of Southgrave [South Cave], held of Sir Edward Stringley [Stanley], Knt., of the manor of Thirsk, in socage."—*Harl. MS.*, 760, fol. 63, British Museum.

1576, was married to Elizabeth, daughter of Thomas Wentworth, Esq., of Wentworth-Woodhouse, Yorkshire, by Margaret, daughter and heiress of Sir William Gascoigne, Knt., of Gawthorpe, who was a descendant of Sir William Gascoigne, Knt.,* Lord Chief Justice, (a very eminent Judge), and the grandfather of the unfortunate Earl of Strafford. The marriage contract is at Swinton Park, and is dated 1st August, 19th Elizabeth, from which it appears that her father gave her £1500 for her fortune. She survived her husband many years, and having purchased Pot Grange of Christopher Danby, her son, and of Robert Danby, his uncle (to whom Sir Thomas had left an annuity of forty marks chargeable thereon); she spent the greatest portion of her widowhood at that place. She purchased from the Crown the wardship of her son during his minority, and also from William Cecil, Esq., in the 37th Elizabeth, 1594-5, an assignment of the Crown lease of her son's lands then held by him. She was a Roman Catholic in religion, and was convicted of Popish recusancy, for which she received a pardon under the Great Seal in the 8th of James I., 1610. She died about the 10th January, 1629, having left a will which bears date in September, 1627, and was proved at York in October, 1629, in which she describes herself as of Thorpe Perrow, widow,

* Chief Justice Gascoigne was not only a very eminent Judge, but a very bold, upright, and independent magistrate. His refusal to try Archbishop Scrope, and Thomas Mowbray, son of the banished Duke of Norfolk, and his committal to prison of Henry V. (whilst Prince of Wales), for insulting him on the seat of justice, are noble instances of this. He died in 1419, and was buried in Harewood Church, where a monument is erected to his memory, an engraving of which will be found *ante*, p. 5. The annexed engraving is a representation of his shield of arms.



ARMS OF SIR WILLIAM GASCOIGNE.

and directs her body to be buried in Masham Church. It then proceeds to mention the following persons:—
 “My nephew, Sir Thomas Wentworth, Baronet,—my cousin, Mr. Michael Wentworth,—my grandchild, Mr. Thomas Danby,—Mr. Christopher Danby, another of my grandchildren,—Elizabeth, wife of John Metcalfe.”
 Thomas Danby, her husband, died the 3rd January, 1581-2, in his father’s lifetime, and therefore never came to the estates. He left by his wife a posthumous son,

Christopher Danby, Esq., who succeeded to the estates on the death of his grandfather (Sir Thomas), therefore of him hereafter.

II. Henry Danby (2nd son), who died in his father’s lifetime, and was buried at Leeds in 1578.

III. Robert Danby, Esq., of Masham, who died without issue. By his will, dated the 28th March, 1631, after desiring to be buried in Masham Church, and mentioning his late niece Mary, sister to Thomas Danby, Esq., of South Cave, he makes the following bequest:—
 “Item, my debts paid *and pence apiece* given to the poore at the church after the usual manner*, and my funeral expences according to my abilitie discharged—I give unto the said Christopher Lodge [his servant] all my moneys and debts owen to me when they shall be due unto me;”
 and he appointed Christopher Lodge his sole executor.

* The distribution of pence to the poor at the funeral, here alluded to, has reference to the Funeral Dole which was usually distributed on these occasions. We learn from St. Chrysostom, that they were thus given, to procure rest to the soul of the deceased, that he might find his judge propitious. Brand says, “the giving of a dole, and the inviting of the poor on this occasion, are synonymous terms.” So late as the last generation, it was the usual practice at Ellington, and Ellingstring, to invite *all* the poor to attend at the funerals. The original design of the custom was for the deceased to have the benefit of the prayers of these parties thus participating in the dole, or attending the funeral. It was also very common formerly in this parish for persons making wills to leave money to be distributed amongst the poor with the same object. In connection with this subject I may mention that within the recollection of the old people of Ellington and Ellingstring, it was quite common to have funeral wakes there.

On the 13th May, 1631, he was presented in the Ecclesiastical Court at Masham for not paying his church rate to Masham Church.

IV. Richard Danby, Esq., of South Cave, to whom his late father had left the manor of South Cave in fee. He married Alice, daughter of Martyn Arm, of Frickley. By his will, dated the 14th June, 1602, and proved at York the 20th of November, 1602, he describes himself as of "South Cave," and as a "prisoner for my contience," and mentions "oakes and eshes in Weedley Wood,"—his manor of South Cave,—and that his heir was then under 21. He also thus makes mention of the following persons:—"William Danby, Gregory Danby, and Richard Danby, my sons,—Mary Danby, Alice Danby, and Ann Danby, my daughters,—my wife deceased,—Maister Hector Danby of Streglethorpe, and Mr. Thomas Danby of Thorganby, Co. Lincoln, my kinsmen,—my brother Ellis of Kiddale,—my brother Nelson of Brotherton." He died leaving the following children:

I. Richard Danby, who was under 21 in 1602.

II. Gregory Danby, who was living in 1602.

III. William Danby, who was living in 1602.

IV. Thomas Danby,* who was living in 1602. He married Rosamond, the daughter of Sir Robert Swifte, and by her had a daughter, namely:

Jane Swifte, who was baptized at Doncaster in 1650-1.

V. Mary Danby, who was living in 1602.

VI. Alice Danby, who was living in 1602.

VII. Ann Danby, who was living in 1602.

V. Dorothy Danby, who was buried at Leeds in 1578.

VI. Hector Danby, who (according to a memorandum in the handwriting of Abstrupus Danby, Esq.) settled in Kinlet, in Shropshire. He is probably the same Hector

* In an Act of Parliament, passed in 1652 (during the time of the Commonwealth), cap. 23, I find that "the estates of Thomas Danby, late of Cave, in the County of York," are declared forfeited for high treason. I presume that this is the Thomas Danby referred to in the Act of Parliament.

Danby as is mentioned in the will of Richard Danby, dated 1602, as then of Streglethorpe.

Christopher Danby, Esq., above-mentioned, succeeded to the estates, and became Lord of Mashamshire, on the death of his grandfather, on the 13th September, 1590. He was born on the 3rd March, 24th Elizabeth, 1581, two months after his father's death, and was consequently long a minor, his estates being in the meantime under the management of his mother as above-stated. He is described as of Thorpe Perrow, and Farnley, but he appears at one time to have resided at Leighton Hall, near Pot Grange. In the 44th Elizabeth, 1601-2, he was freed from the court of wards and liveries of his lands. Very soon afterwards he married Frances, the youngest daughter of Edward Parker* Lord Morley, by his wife Elizabeth, only daughter and heiress of William Stanley Lord Monteagle. She was sister to William Lord Morley and Monteagle, to whom the remarkable letter was addressed by one of the parties to the Gunpowder Plot conspiracy, in the reign of James I., by means of which letter the plot was discovered in time, and Guy Fawkes, with his co-conspirators, were at once arrested, and subsequently punished. He was in religion a Roman Catholic, and was convicted of Popish recusancy, for which he received a pardon under the Great Seal in 1610. His lady, who was also a Roman Catholic, was, for her adherence to her religion, also presented in the Ecclesiastical Court at Masham, and condemned as a Popish recusant. The marriage (which had taken place without the sanction or knowledge of the friends of the lady) was a very unhappy one, and

* He was one of the Peers who sat in judgment and pronounced sentence of death on the beautiful, but unfortunate, Mary Queen of Scots—on Philip Earl of Arundel—and on Robert Earl of Essex, all in the reign of Queen Elizabeth. Elizabeth, his wife, was the only daughter and heiress of William Stanley Lord Monteagle, the grandson of Sir Edward Stanley, who so highly distinguished himself at the Battle of Flodden-field, for which service he was raised to the peerage as Lord Monteagle.

resulted in a considerable amount of litigation and bad blood, and ultimately in a separation. He was anything but a faithful husband, and led the very reverse of a blameless life; he kept bad company—was very litigious—a spendthrift—very improvident; allowed himself to be robbed by an unfaithful steward, and ran into considerable debt, which obliged him to sell off a large portion of his paternal estates. His name also occurs in the proceedings of the Ecclesiastical Court at Masham, in connection with a frail lady of the name of Elizabeth Scott. He afterwards, however, became a very strenuous defender of his fortune against all encroachments, and especially of the franchises and liberties of Mashamshire, as appears by the great number of suits and actions at law, in which he was concerned relating to them. Among these, may be mentioned the action which he brought against Solomon Wyvill, of High Burton, near Masham, for hunting upon Brownriggs, in Mashamshire, in which he obtained a verdict at York assizes, and thereby established the fact that Brownriggs was within, and formed part of, the manor of Mashamshire, against the pretensions of the then Lord Bruce, who supported the defendant in the action, by claiming it as part of his manor of East Witton. Notwithstanding his being a Roman Catholic, he appears on the 12th September, 1608, to have presented as patron to the living of Thornton-Watlass. He died on the 18th July, 1624, intestate, and on the 20th August in the same year, letters of administration to his effects were granted to Michael Higginson, of York, *as a creditor of the deceased*, showing the still embarrassed state of his affairs. His widow survived him many years, and continued to receive her thirds of the estate till the 12th Charles I., 1636-7, in which year she accepted from her son a settlement of £350 a-year in lieu of her dower. About a year after her husband's death, she consoled herself by taking to herself a second husband (a William Richards, Esq.) with whom she lived a great many years at Farnley, and

ultimately survived him, she having died on the 20th September, 1654. Christopher Danby had by his said wife the following children:

I. Sir Thomas Danby, Knt., his successor, of whom presently.

II. Christopher Danby, who was left unprovided for. He resided in London, where he died intestate, on the 2nd October, 1634, of "an imposthume and spotted fever," being then about 18 years of age; and on the 10th February, 1634, letters of administration to his effects were granted to his mother, in which she is described as the wife of William Richards, Esq., of Farnley.

III. Katherine Danby, who was also left unprovided for; her brother, however, after he came of age, voluntarily gave her £1500 as a fortune. She was baptized at Leeds on the 29th February, 1611, and was afterwards, in 1629, married to Sir Francis Armytage, Bart., of Kirklees, who in the 8th Charles I. held the office of Bow-bearer of the Free Chase of Mashamshire. From this marriage is descended Charles John Henry Mundy, Esq., of Ormsby, in Lincolnshire, the supposed present representative of the family, and of the barony of Scrope of Masham. Lady Katherine Armytage died about the year 1646, having had the following children:

I. Sir John Armytage, Bart., who was remarkable as being most zealous in putting down the Nonconformists, and most active in suppressing their conventicles. In the year 1669, he was High Sheriff of Yorkshire, and Captain of the Trained Bands; he was also Deputy Lieutenant and a Justice of the Peace. He married Margaret, the second daughter of Thomas Thornhill, Esq., of Fixby. In April, 1677, he fell from his horse as he was returning home from a drinking party at Nunbrook, and broke his neck. He was buried at Hartshead Church with a most gorgeous ceremonial, the Rev. Saml. Drake, Vicar of Pontefract, preaching his funeral sermon. Oliver Heywood, the Dissenter, who describes

the scene of his death, evidently looked upon it as a judgment for Sir John's harshness to the Dissenters. He left eight sons, all of whom died childless.—See *Burke's Extinct Baronetcies*.

II. Francis, who married Mary, daughter of Robert Trapps, Esq., of Nidd-hall, and had an only surviving son, Thomas, who succeeded to the Baronetcy.

III. William, of Killinghall.

IV. Catherine, who died unmarried.

V. Anne, wife of Mr. Smith, of London.

VI. Prudence, who died unmarried.

VII. Elizabeth, who died unmarried.

VIII. Winifred, the wife of Thomas Lacy, Esq.

Sir Thomas Danby, Knt., above-mentioned, succeeded to the estates, and became Lord of Mashamshire, on the death of his father in 1624. He was born in 1610, and consequently was only 14 years of age when he came to the estates. His estates came into the King's hands, and were accordingly taken possession of by the Court of Wards and Liveries, (which was then in the plenitude of its power,) to be held by it during his minority. Thus the boy's grandmother had the mortification of seeing the estates for a second time in the hands of that most obnoxious and tyrannical court, and she was now too old to take upon herself the wardship of her grandson, and the management of his estates, as she had previously done during the minority of his father. It would seem, however, that she, through the influence and interest of her nephew, Sir Thomas Wentworth (afterwards Earl of Strafford), and other members of her family, soon succeeded in inducing Christopher Wandesford, Esq.,* of

* He was upon very friendly terms with Thomas Wentworth Earl of Strafford, and when that nobleman was created Lord Lieutenant of Ireland, he accompanied him thither, when he was made Master of the Rolls there, in 1633, and at the same time sworn of the Privy Council. He was one of the Lords Justices in 1636 and 1639, and on the 1st April, 1640, he was appointed Lord Deputy of Ireland, and soon afterwards created Baron Mowbray, and Musters, and Viscount Castlecomer. The melancholy fate of Earl

Kirklington (afterwards successively Sir Christopher Wandesford, Knt., Baron Mowbray, Baron Musters, Viscount Castlecomer, Master of the Rolls, and Lord Deputy of Ireland), to become the purchaser from the Crown of the wardship of her grandson. Mr. Wandesford accordingly purchased from the Court of Wards and Liveries, for the sum of £800, the right to the custody, wardship, and marriage of the minor, together with an allowance of £20 a-year to be paid out of court, for the maintenance and education of the minor, and also a lease of all the minor's estates (which included other estates besides Mashamshire), for a fine of forty shillings, during the minority, at the annual rent of £150, they being then really worth £3000 a-year according to the value of money at that day. Mr. Wandesford having thus secured to himself the guardianship of the minor upon these very advantageous terms, had him immediately removed to his own house at Kirklington, where he had him brought up and educated in the midst of his own family of children. The allowance of £20 a-year, so liberally allowed by the Court of Wards and Liveries, for the maintenance and education of the minor, was certainly small enough, and would have hardly satisfied the very moderate demands of Mr. and Mrs. Squeers of Do-the-boys Hall,—especially, as the £20 a-year had to include the necessary articles of clothing, besides treacle-and-brimstone, and *extras*, (that odious word we invariably meet with in our school-bills), and still less, even the

Strafford had, however, so deep an effect upon him that he died on the 3rd December in the same year. His son and successor, Christopher Wandesford, was on the 5th August, 1662, created a Baronet, and his grandson, Sir Christopher Wandesford, Bart., was advanced to the Peerage of Ireland, as Baron Wandesford and Viscount Castlecomer. Sir John Wandesford, fifth Viscount Castlecomer, was in 1758, created Earl Wandesford, but dying in 1784, without male issue, all his honours became extinct. His daughter Anne, having married John Butler, afterwards Earl of Ormonde, the Wandesford estates came into the Butler family. Sarah, the wife of the Rev. John Prior, the present Rector of Kirklington, is the daughter of the last-mentioned Anne Wandesford, afterwards Countess of Ormonde.

moderate desires of "a fine young English gentleman, one of the modern times," in the shape of an allowance from "the Gov'ner," for cigars and pocket-money; yet such was the liberality of the infamous Court of Wards and Liveries; and both the guardian and ward were (each for their own reasons) perfectly content with it. Young Thomas Danby had not, however, been long at Kirklington before he began to "cast eyes of affection," on his guardian's eldest daughter Catherine, "a very pretty young lady," (as we have already seen, *ante* p. 123.) What sort of eyes the young lady cast back in return may be readily imagined, for "though several other gentlemen of considerable fortune, &c., were suitors," she gave the preference to young Thomas Danby, and they were accordingly joined together in holy wedlock in the year 1630, to the great satisfaction of all parties concerned, the young gentleman having then arrived at the mature age of eighteen, whilst Catherine his wife rejoiced in having seen fifteen summers. Although the happy pair had been considered old enough to marry, they were thought to be too young to commence housekeeping on their own account; they therefore continued to reside with the young lady's father and mother, who it is said, "gave entertainment to themselves, servants, and horses, for several years." Mr. Wandesford having in 1633 been appointed Master of the Rolls in Ireland, he some time afterwards removed his wife and family thither, when Mr. Thomas Danby took his wife and children to Farnley, where they commenced housekeeping on their own account, and "began to live in a most generous manner." He was soon afterwards put upon the Commission of the Peace for the North Riding of Yorkshire; and in 1635, he was appointed by his cousin Lord Wentworth (afterwards created Earl of Strafford) then Lord Lieutenant of the West Riding, and Lord President of the North, one of his Deputy Lieutenants. On the 29th August, 1635, he presented as Patron to the living of Thornton-Watlass.

In 1637-8, he served the office of High Sheriff of his native county, and during that year we find him actively engaged in enforcing the payment of the obnoxious impost, ship-money. His father-in-law having been appointed on the 1st April, 1640, to the high office of Lord Deputy of Ireland, and soon afterwards created Baron Mowbray and Musters, and Viscount Castlecomer, he and his wife paid him a visit in Ireland, and during such visit had the honour of being knighted. In the meantime, however, he had been appointed Colonel of a Regiment of soldiers,* and we accordingly find his name attached as such to an address which was presented to King Charles I. at York, on the 30th March, 1639, by the Deputy Lieutenants and Colonels of the county. He also represented the Borough of Richmond in Parliament and was member for that borough during the memorable Long Parliament; but was in the year 1642, declared to be incapable of sitting in it on account of his malignancy. Whilst he continued in Parliament, as a staunch Royalist, he zealously supported the Royal cause against the Parliament, and warmly espoused the cause of his relative and patron the Earl of Strafford, and ventured to come forward and give evidence on his behalf on his trial, and to vote against his conviction. He thus became a marked man, and his name was accordingly publicly posted up in London on the 3rd May, 1641, as "a Straffordian," and as such was thus pointed out so as to excite the fury of the populace against him. He still, however, continued zealously attached to the cause of his royal master, to whom he rendered good service during the Civil Wars. In common with the rest of the Cavaliers, on the failure of their cause, and the consequent supremacy of the Roundheads, he was a great sufferer both in person and estate, and was long detained a prisoner, and obliged to pay a fine of £5600, in order to procure his freedom,

* THORESBY in his "*Ducatus Leodiensis*" (Edit. 1715) page 203, says, "When Sir Thomas Danby was Colonel against the Scots, Mr. Gale was Captain."

and the restoration of his estates. It is proverbial that misfortunes seldom come alone, and the truth of this proverb was fully exemplified in the life and hard fate of Sir Thomas Danby. He had the misfortune of witnessing the downfall of his cousin and patron, the great Earl of Strafford, and the shedding of his blood upon the scaffold—the death very soon afterwards, from sheer grief, of his father-in-law, who stood towards him in the peculiar position in which he had been placed, more as a parent than otherwise—the disastrous defeat of the Cavaliers at the battle of Naseby, which had not only all but rendered hopeless the cause he had so much at heart, and sealed the fate of his Royal Master, but had placed himself and his fortune at the mercy of the Roundheads—but yet another and a greater misfortune awaited him. On the 26th September, 1645, his wife, in giving birth to her fifteenth child, died in the thirtieth year of her age, and in the very fulness of her womanhood; and such appears to have been the nature of her death, that it was deemed necessary to remove her lifeless remains, on the same day on which she died, from Thorp-Perrow to Masham, there to be buried. Now was Sir Thomas's cup of grief full to o'erflowing, bereft as he then was of the wife of his affection—the companion of his youth, and lately his only companion and adviser, and sharer of his joys and sorrows. He was left alone to drag out the few remaining years of his life, and to brood over his misfortunes, and to occupy himself in recalling to his memory the scenes of former days. One can hardly conceive circumstances more distressing than these, or more calculated to enlist one's sympathies on behalf of a person so placed, for

“Still o'er these scenes his mem'ry wakes,
And fondly broods with miser care!
Time but th'impression deeper makes,
As streams their channels deeper wear.”

In the year 1660 (after the Restoration) King Charles II. invested him with the newly created

Order of the Royal Oak as a mark of, and a reward for, his loyalty. He lived however but a very short time to wear his newly acquired, and dear-bought honour, having died 5th Aug., 1660, in London, and was buried in the North aisle of the Choir of York Minister. By his will, which is dated the 11th November, 1659, but which was only proved at York in the year 1673, by Catherine, the wife of Henry Best, of Gray's Inn, Esq. (daughter of the deceased), he describes himself, as "Sir Thomas Danby of Thorpe Perroe, Knight," and thus makes mention of the following persons, viz: "to my eldest daughter Catherine Danby, £2000, to my daughter Alice Danby, £1000, to my third son John Danby, £1,000—to my fourth son Charles Danby, £1000—my fifth son Francis Danby, £1000—my second son Christopher Danby and his wife, my plantations in Virginia, and £200 to be paid within twelve months after he should return into Virginia to settle and plant there. A very good portrait of Sir Thomas, by J. Carleton (1635) is to be seen at Swinton Park, as also one of his lady. He had by his said wife the following children, viz:—

I. Thomas Danby, Esq., his successor, therefore of him hereafter.

II. Christopher Danby, his second son, of whom also hereafter, he having ultimately succeeded to the estates on the death of his nephew Christopher, as hereafter mentioned.

III. Catherine, the wife of Henry Best, Esq., of Middleton-Quernhow, Yorkshire, a member of Gray's Inn, London. She died in 1688, leaving the following children, viz:—

I. Henry Best.

II. Catherine, the wife of Edward Goddard, of Richmond, Yorkshire.

IV. John Danby (his third son), who married and lived at Middleham. He is mentioned in the will of his father, dated 1650, and of his brother Charles, dated

1672, as well as in Sir Abstrupus Danby's will, in 1726. He died and was buried at Middleham, in 1696, leaving an only surviving daughter, namely,

I. Catherine, the wife and afterwards the widow of — Digby, of Middleham, (who is described in Sir Abstrupus Danby's will as his cousin). There is a portrait of her in Swinton Park. She left by her husband a son, James Digby, of Middleham, who is also mentioned in the will of Sir Abstrupus Danby, dated in 1726.

V. Charles Danby (his fourth son), who died without issue in 1672. By his will, dated the 18th April, 1672, and proved at York in the same year, he describes himself as "Charles Danby, of Gray's Inn, Gentleman," and thus makes mention of his relatives:—"My niece Catherine Best, the daughter of Henry Best, of Gray's Inn, Esq.—My brother John Danby.—My brother Francis Danby.—My sister Katherine Best.—My nephew Henry Best, son of my brother Henry Best.—The children of my brother Christopher Danby."

VI. Francis Danby (his fifth son), who was baptized at Leeds on the 31st March, 1641, and died unmarried.

VII. Edward Danby.

VIII. Alice Danby, who died unmarried in 1670.

Seven other children, who all died young and without issue.

Thomas Danby, Esq. (above-mentioned), succeeded his father, Sir Thomas Danby, Knt., in his estates at his death in 1660, and thus became Lord of Mashamshire. He was born at the house of Sir Christopher Wandesford, Knt., at Kirklington. He was a Captain in the Royal Army, and the first Mayor of Leeds.* He married Margaret, daughter and co-heiress of William Eure, second son of William, sixth Lord Eure, of Wilton Castle, in Cleveland, who was a Colonel in the Royal

* Edward Atkinson, Esq., officiated for him during his mayoralty.

army, and fell at Marston-moor in 1645. She was also co-heiress to her cousin Ralph Lord Eure, and had in her widowhood in 1673, a royal grant to enjoy place and precedence as if her father had survived William Lord Eure, her grandfather. This Thomas Danby is stated in the Danby pedigree to have been slain before Leeds, in 1667, but it is stated in *Harl. MS., fo. 35*, that he was killed in a tavern in London, in 1667. He died intestate, on the 23rd November, 1667, and letters of administration to his effects were granted to Margaret Danby,* his relict, who survived him till the 23rd June, 1688, when she died. He had by her the following children :

I. Thomas Danby, Esq., his successor, therefore of him presently.

II. Christopher Danby, Esq., who succeeded his brother in the estates on his death, and therefore of him also hereafter.

III. Mary Danby, who was baptized at Leeds on the 2nd of May, 1661, and died an infant.

IV. Charles Danby, who also died an infant.

V. Charlotte Danby, who was killed by a fall from her horse in 1688.

Thomas Danby, Esq. (above-mentioned), succeeded his father in the estates on his death in 1667, and thus became Lord of Mashamshire. He was a minor when he came to the estates; we accordingly find that on the 14th January, 1669, (he being still a minor) Margaret Danby, his mother, presented for him as patron of the living of Thornton-Watlass. Having died during his minority, and unmarried, in the year 1671, he was succeeded by his brother,

* After the death of her husband she offered a considerable sum of money towards the erection of a handsome new Guild-hall at Leeds, to be erected upon pillars and arches, according to the plan of Mr. John Thoresby. Her offer, however, was not accepted, which was afterwards very much regretted, and an ugly structure was built in its stead, which has since had to give way to the elegant Town-hall but recently built there.—See *Thoresby's Ducatus Leodiensis*, (edit. 1715), p. 15.

Christopher Danby, Esq. (also above-mentioned), who on the death of his brother, succeeded to the estates, and thus became Lord of Mashamshire. He was killed in the year 1683, by a fall from his horse on Watlass-moor, whilst hunting; and thus dying a minor, and without issue, was succeeded by his uncle,

Christopher Danby, Esq. (also above-mentioned), who was the second son of Sir Thomas Danby, Knt., and was born in November, 1633, at the house of his maternal grandfather, Sir Christopher Wandesford, Knt., in St. Martin's-lane, London; and, along with his elder brother Thomas, received his education in Dublin, where his maternal grandfather and grandmother were then residing. He succeeded to the estates on the death of his nephew, Christopher Danby, in 1683, and thus became Lord of Mashamshire, but in the same year granted it to his son, Sir Abstrupus Danby, Knt. He married Anne, the daughter of Colonel Edward Colepepper, second brother of John Lord Colepepper, who survived him till the 11th Nov., 1695, when she died and was buried in Trinity Church, Micklegate, York, aged 63.* He died in the year 1689, having had by his wife the following children:—

I. Sir Abstrupus Danby, Knt., his successor, therefore of him presently.

II. Wandesford Danby, Esq., who was born in 1663, and was living in 1700.

* The following is a copy of the inscription erected to her memory in the above Church, by her son Sir Abstrupus Danby:—

“Epitaphium in obitum ANNAE uxoris CHRISTOPHERI DANBY, armigeri quae sanctissima vita emisit animam beatam, xj die Novembris MDCXCV, anno Ætatis suæ 63.

ATROPOS.—Haud valui tamen hanc abscindere vitam

Tanta intexta fuit vis pietate sua.

Addidit ipse mihi Deus sua stamina vires;

Mortua nunc vivit non moritura DEO.

Hoc monumentum exculptum impensis ABSTRUP. DANBY, militis, in piam defunctæ suæ matris memoriam erect' fuit in hac Basilica xv die Januarii, MDCXCVI.”

III. Francelia Danby, who was born in 1668, and died in 1698. Her portrait is to be seen at Swinton Park.

IV. Eleanor Danby.

Sir Abstrupus Danby, Knight (above-mentioned), succeeded to the estates, and became Lord of Mashamshire, by a grant made thereof to him by his father in his lifetime, in the year 1683. He was born on the 27th Dec., 1655, and was knighted at Kensington on the 30th August, 1691. He was a Justice of the Peace, and Deputy Lieutenant for the North Riding of Yorkshire, and represented the borough of Aldborough, near Boroughbridge, in Parliament in the years 1698 and 1699. When he came to the estates he found them very much involved, and his first act was to borrow on mortgage the sum of £20,000, in order to pay off the debts and incumbrances upon them. In order to pay off or reduce this mortgage, he, in the year 1688, sold the estate at Thornton-Watlass and Thorp-Perrow to Sir William Blackett, which sale produced £10,300; he also in the same year sold the manor of Scruton to Dr. Gale, then Dean of York, which produced £1040; and in the year 1697, he sold the manor of Driffeld to Mr. Richardson for £2000. In the same year (1688) in which he sold Thorp-Perrow, he purchased from Mr. Norton, for £1160, the remaining one-third of the manor of Swinton, with the mansion-house there, whereupon the family removed their seat or residence from Thorp-Perrow to Swinton. By his judicious management of the estates he acquired to himself the title of the "Restorer of his Family," as will be seen on reference to the monumental inscription to his memory which is now in Masham Church. He married Judith, the daughter of Abraham Moon, a merchant in London, and relict of William Davies, Esq., younger brother to Sir Thomas Davies, Lord Mayor of London. She died on the 22nd January, 1712, and was buried at Masham. Sir Abstrupus died at Swinton on the 24th December, 1727, having left a will which is dated 1726, and was proved at York in

1729, in which he describes himself as "Sir Abstrupus Danby, Knight, of Mashamshire," and directs his body to be buried in Masham Church, where his wife was buried. In his will he thus makes mention of the following persons:—"My brother Mr. Wandesford Danby.—Mr. James Digby, son of Mrs. Katherine Digby, of Middleham, widow, and grandson of my late uncle Mr. John Danby, of Middleham, deceased.—My cousin the said Katherine Digby, surviving daughter of my late uncle.—Mr. John Green, mine and my dear wife's most hopeful godson.—Abstrupus Danby, Esq., my son and heir." There are several portraits of Sir Abstrupus at Swinton Park. He left by his said wife an only son,

Abstrupus Danby, Esq., of Swinton, who succeeded his father in the estates at his death, and thus became Lord of Mashamshire. He was born in 1680. In the year following his father's death, viz., 1728, he paid off one half of the remaining £10,000 of the mortgage upon the estate, and the other half in the year 1750. He married first Elizabeth, the daughter of Arthur Ingram, Esq., of Barrowby, (and brother of Henry Lord Irwin), by Jane, daughter of Sir John Mallory, Knt., of Studley, by whom he had the following children, viz:

I. William Danby, Esq., his successor, therefore of him presently.

II. Arthur Danby, who was born in 1713, and died in 1766, unmarried. His portrait is at Swinton Park.

III. Abstrupus Danby, who was born in 1717, and married Hannah, the daughter of Richard Wolfe, Esq., of Bridlington Quay. She died in 1792. This Abstrupus Danby died at York 17th March, 1792. There is a portrait of him at Swinton Park. He left by his wife an only daughter, viz:

Elizabeth Danby, who died unmarried in 1768, and whose portrait is at present to be seen at Swinton Park.

IV. Jane Danby, who was born in 1714, and died in 1764, unmarried.

His first wife having died in April, 1717, and been

buried at Whitchurch, near Leeds, he married secondly, in the year 1720, Battina, daughter of the Rev. Dr. Euston. She died in 1748, and was buried at Bath. He died on the 12th March, 1750. By his will, which is dated A.D. 1743, and proved at York, A.D. 1750, he describes himself as of Swinton, and thus makes mention of the following persons, viz: "My wife Battina—my younger sons Arthur Danby and Abstrupus Danby—my daughter Jane, if she be restored to her right mind; but in case she shall marry with Charles Robinson, now, or late of Scarborough, Esq., Barrister-at-law, then etc., (he cuts her off)—my daughter Judith—my daughter Anne—my eldest son William." There is a portrait of him at Swinton Park. He left by said second wife the following three daughters, viz:

V. Judith Danby, who died in 1744, without issue.

VI. Anne Danby, who died at Acomb, near York, on the 17th April, 1759, without issue. She left by her will dated the 23rd June, 1755, to the charity school for the poor children in the town of Masham £200 for the benefit of the said charity school, also to the Foundling and St. Luke's Hospitals, the Society for Propagating the Gospel, the Protestant Schools in Ireland, the charity schools in York, and the poor of Masham, £200 each.

VII. Battina Danby, who was baptized on the 23rd February, 1728, and died without issue.

William Danby, Esq., (above mentioned) succeeded his father in the estates at his death in 1750, and thus became Lord of Mashamshire. He was born in 1712, and married Mary, daughter of Gilbert Affleck, Esq., of Dalham-hall, in the county of Suffolk. She was the sixteenth child of her parents. Her brother Edward having entered the Royal Navy in 1781, he commanded the "Bedford," of 74 guns, and in 1782, was advanced to the rank of Rear Admiral of the blue. He was created a Baronet on the 28th May, 1782, for his gallant conduct as commander of the central division in the memorable naval engagement of the 12th April,

1782, between Admiral Rodney and the French Squadron under the command of Comte de Grasse. Mr. Danby was an excellent manager of his estates, and not only cleared them of all the remaining incumbrances upon them, but considerably improved them in value, as we have already seen *ante*. He also made extensive additions to the estate; indeed it appears that during his time, and that of his father, and grandfather, purchases were made in order to improve the estate, to the amount of £14,733. He was also a great benefactor to the town and parish of Masham. He died at his house in Bruton Street, London, on the 8th of April, 1781, aged sixty-nine years. There is a good portrait of him at Swinton Park. He left by his wife (who died on the 8th June, 1773) the following children, viz:

I. William Danby, Esq., his successor, therefore of him presently.

II. Mary Danby, who was born in 1749. She married firstly on the 13th July, 1772, Thomas Lockhart, Esq., (son and heir-apparent of Alexander Lockhart of Craighouse, Esq., one of the Lords of Session in Scotland) who died on the 22nd August, 1775. She married, secondly, in 1780, the Honourable Colonel William Harcourt, who on the 20th April, 1809, succeeded on the death of his brother, to the title of Earl Harcourt. He was Master of the Horse to the Queen, Governor of the Military College, Governor of Portsmouth, and a Field-Marshal. She died on the 14th January, 1833, without issue.

III. Elizabeth Danby, who was born in London, on the 4th September, 1754, and died unmarried in September, 1786, at Lyons, where she was buried.

William Danby, Esq., (above mentioned) succeeded his father in his estates at his death in 1781, and as such became Lord of Mashamshire (being the last of his name and family). He was born on the 28th June, 1752. He was High Sheriff of Yorkshire in 1784. He married, firstly, on the 16th September, 1775, Caroline

daughter of Henry Seymour, of Sherbourne, Esq., M.P., for Evesham; she dying without issue on the 3rd May, 1821, at Clifton, near Bristol, he married, secondly, on the 5th January, 1822, Anne Holwell, second daughter of William Gater, Esq., of Exeter. He died on the 4th December, 1833, without issue, leaving his wife him surviving, to whom he left by his will the Lordship of Mashamshire, for her life, with a limited power of appointment in favour of one of the members of the Affleck family. She is now (1863) the wife of Admiral Octavius Henry Cyril Venables Vernon Harcourt,* who, in her right, is the present Lord of Mashamshire.

Arms, ar., three chevronells brased in the base point of the escutcheon, sa.; on a chief of the second, three mullets of the first.

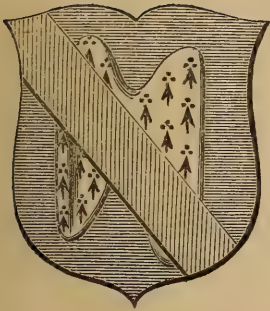
Crest, a crab erect, or.

* Admiral Harcourt died whilst these pages were going through the press, namely, on Friday, the 14th of August, 1863, aged 69.

PEDIGREES OF FAMILIES CONNECTED WITH MASHAMSHIRE.

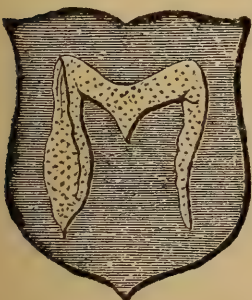
NORTON OF SWINTON.

LINEAGE.



Richard Norton, Esq.,* of Norton-Conyers, "the Patriarch of the Rebellion" of 1569, and for which he was attainted in the reign of Queen Elizabeth, married Susan, the daughter of Richard Neville, Lord Latimer, and sister of Elizabeth, the wife of Sir Christopher Danby, Knt., mentioned in the Danby pedigree, *ante*. By this marriage he had several children, but I confine myself to

Edmund Norton, of Clowbeck, in the parish of Cleasby, in Yorkshire, the third son of the above Richard Norton, and who was *not* concerned in the Rebellion of 1569. He married Cecily, (the daughter of Matthew Boynton,†



* The family of Norton is descended from a branch of the noble house of Conyers, which is one of hoar antiquity and high repute both in Yorkshire and Durham, where they formerly held very extensive possessions; but all of them are now gone, and according to Surtees, "not a foot of land is now held by Conyers in either county." Their achievement is said to have been before the conquest.

† The family of Boynton was one of great antiquity in Yorkshire, being descended from Sir Ingram de Boynton who lived in the reign of King Henry III.

Sir Francis Boynton, in his will dated in 1614, mentions "my aunt Cecily Norton—my uncle John Norton the elder—young Tom Norton—my cousin Thomas Norton, Esq., of Wheldrake—my cousin Norton, my solicitor."

of Barmestone, Yorkshire), who was a maid of honour to Queen Elizabeth, and died about the year 1602. This Edmund Norton died about 1601, leaving the following children:

I. Francis Norton, who died unmarried.

II. Richard Norton, who died unmarried.

III. William Norton, of Sawley, near Ripon, who married Margaret, the daughter of William Welbury, of Newton-in-Cleveland. He died in 1644, leaving issue, from whom the Nortons of Sawley, and the Lords of Grantley are descended.

IV. Robert Norton, of Swinton, near Masham, of whom I now proceed to speak.

Robert Norton, of Swinton, near Masham, just mentioned, appears to have resided in the parish of Wath in 1593, but to have afterwards removed to Swinton. He married Catherine, daughter and co-heir of John Staveley, of Swinton, near Masham, Esq., whose family appear to have possessed lands in, and to have resided at, Swinton, during several preceding generations. She died at Swinton, and was buried at Masham, in February, 1641, having survived her husband, who was buried at Masham, on the 6th February, 1638. They were both Roman Catholics, and were accordingly presented in, and punished by, the Ecclesiastical Court at Masham, as being Popish Recusants. They had the following children, viz:

I. Mauger Norton, who was baptized at Wath, near Ripon, on the 23rd May, 1593. He afterwards took up his residence at St. Nicholas, near Richmond, which Borough he represented in Parliament. He married Anne, daughter of Sir George Wandesford, of Kirklington, Knt., who was the grandfather of Catherine Wandesford, the wife of Sir Thomas Danby, Knt. This Mauger Norton was buried at Richmond, on the 12th December, 1673, and his wife (who survived him) was also buried there on the 23rd December, 1683. They had the following children, viz:

I. Edmund Norton, who died before 15th January, 1657, without issue.

II. William Norton, a Barrister of Gray's Inn, who was born in 1627, and was living in 1658.

III. Christopher Norton, who was born in 1651. He sold St. Nicholas, Richmond, in 1685. He had a daughter,

Anne, who was baptized 24th June, 1673.

IV. Mary Norton who was baptized 12th July, 1635, at Richmond, and married there 20th August, 1651, to Sir John Yorke, of Gowthwaite Hall, in Nidderdale, who was M.P. for Richmond in 1661, by whom she had issue,

I. Thomas Yorke, M.P. for Richmond, who married Catherine, the daughter of Thomas Lister, Esq.

II. Mary Yorke, who married Sir Edward Blacket, of Newby, near Ripon.

II. Richard Norton.

III. William Norton, of Swinton, near Masham, who was baptized 6th March, 1601, at Masham, where he was buried 16th November, 1625. He died unmarried.

IV. Elizabeth Norton, who was baptized at Masham, 20th January, 1599, and was married to Richard Smurthwaite, of Nutwith Cote, near Masham, on the 7th October, 1635, at Masham, and was buried there 25th November, 1680. They had issue, viz:

I. Catherine Smurthwaite, (daughter and co-heiress) who was married at Masham Church on the 11th January, 1662, to Simon Bartlett, of Richmond, Yorkshire, afterwards of Masham (1662—8), and afterwards of Nutwith Cote. He was buried in Masham Church, 22nd February, 1680. She survived her husband and died, and was buried at Masham, on the 2nd August, 1697, leaving the following children, viz:

I. Elizabeth Bartlett, who was baptized at Masham, 24th November, 1665. She was married at Masham Church on the 29th June, 1684, to William Beckwith, of Lamb-hill, Gent. She had issue an only son who died in his infancy.

II. Hannah Bartlett, who was baptized at Masham 30th August, 1668, and was living in 1684, and unmarried.

III. Catherine Bartlett, who was baptized at Masham, 17th November, 1670.

IV. Margaret Bartlett, who was baptized at Masham, 23rd February, 1672, and was married there 2nd July, 1696, to Leonard Fothergill, of Swinton, Gent.

V. John Bartlett, eldest son and successor, therefore of him below.

VI. Mary Bartlett, who was baptized at Masham 4th February, 1678, and married there on the 30th August, 1699, to Mr. Charles Lister, of Ripon.*

VII. Simon Bartlett, who was baptized at Masham 14th June, 1681, and was buried there 24th May, 1684.

VIII. Richard Bartlett, who is mentioned in the will of his grandfather, Richard Smurthwaite, dated Nov. 17, 1676, as then living.

John Bartlett (above mentioned) was of Nutwith Cote. He was baptized at Masham 13th June, 1675, and was buried there. He married who was buried at Masham in August, 1706. He had by his wife the following children:—

I. John Bartlett, of Nutwith Cote, who was baptized at Masham Feb. 10th, 1705-6. He died Dec. 15, and was buried in Masham Church on the 18th December, 1769, leaving no issue.

II. Elizabeth Bartlett, who was baptized at Masham 19th March, 1703.

III. Catherine Bartlett, who was baptized at Masham 23rd December, 1704. She married, in 1742, John Ascough, of Nutwith Cote, Gent., (who was the eldest

* Charles Lister's second daughter, Catherine, married William Beckwith, of Lamb-hill, near Masham, Gent., who died on the 3rd June, 1762, aged sixty-two, and was buried in Masham Church. She died 25th January, 1776, aged sixty-nine, and was also buried in Masham Church; they had issue four daughters, viz:—Mary, Catherine, Elizabeth, and Dorothy.—See Inscription on slab in Masham Church.

son and heir-at-law of Thomas Ascough, of Nutwith Cote, who was, in 1730, the heir apparent of Christopher Ascough, of Nutwith Cote). She had by her said husband the following children:—

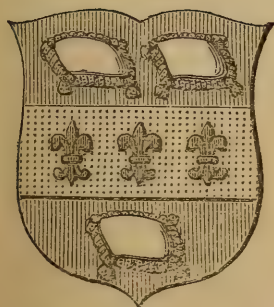
I. John Ascough, of Nutwith Cote, Gent. (and nephew and heir-at-law of John Bartlett above mentioned, as appears by an inscription on a slab in Masham Church). He was baptized at Masham 19th Dec., 1743; died on the 4th, and was buried in Masham Church on the 6th Feb., 1774, leaving no issue.

II. Thomas Ascough, of Nutwith Cote, who was born on the 5th, and was baptized at Masham on the 6th Jan., 1744-5. In 1772, he married Catherine Fleming. In 1775, he was described as "the second and only surviving issue" of the above mentioned Thomas Ascough and Catherine his wife. He died without issue in 1786, or 1788, leaving his wife him surviving.

ARMS—Azure, a maunch ermine, over all a bend, gules.

HUTTON OF CLIFTON-CASTLE AND ALDBOROUGH-HALL.

LINEAGE.



Matthew Hutton, of Priest-Hutton, in the parish of Warton, Lancashire, descended from an ancient family at Hutton Hall, Lancashire. He married and had the following children:—

I. Edmund Hutton, of the county of Lancaster.

II. Matthew Hutton, D.D., of whom hereafter.

III. Robert Hutton, D.D., Prebend of Durham, and Rector of Haughton-le-Skerne. He married Grace, daughter of Leonard Pilkington, D.D., by whom he had

issue. He desires, in 1619, to be buried "in the Quyer at Haughton, neere his wyfe's stalle under the blew stone in the east side of the churche." He left by his said wife a daughter Anne, who married John Vaux, of Darlington.

Matthew Hutton, D.D., above-mentioned, was born at Warton, in the year 1529. He took holy orders, and was made Dean of York in 1567: he was elected Bishop of Durham 9th June, and consecrated 27th July, 1589. He was translated to the Archiepiscopal See of York on the 24th March, 1594. He married thrice, viz: Firstly, Catherine Fulmesby, niece to Thomas Godrick, Bishop of Ely, in 1564; but she dying soon after, without issue, he married, secondly, in 1567, Beatrice, the daughter of Sir Thomas Fincham, of Finshaw, Knt. She having died on the 5th May, 1582, he married, thirdly, on the 20th November, 1583, Frances, widow of Martin, the son of Martin Bowes, Knt., Alderman of London, who survived him. In the year 1598, he purchased the Marske Estate, which still remains in the family, being now the property of Timothy Hutton, Esq., of Clifton Castle. He died on the 16th January, 1605, and was buried in York Minster, where a monument is erected to his memory. The learned author of the *Eboracum* says of him, "This prelate was a man of great learning, and accounted the most able preacher of the age he lived in." He had by his second wife the following children:

- | | |
|---|---------------------|
| I. Mark Hutton, | } all died infants. |
| II. Stephen Hutton, | |
| III. Ralph Hutton, | |
| IV. Sir Timothy Hutton, his successor, of whom hereafter. | |

V. Sir Thomas Hutton, of Popleton, who married Ann, the daughter of Sir John Bennet, of Dawley, near Uxbridge, by whom he had issue. He died on the 23rd January, 1620.

VI. Thomasine Hutton, who was baptized 17th April, 1572. She married Sir William Gee, Knt., of Bishop's

Burton, Secretary to, and one of the Council of the North, who died in 1611, and is buried in York Minster. She had a daughter Jane, wife of Roger Gregory.

VII. Elizabeth Hutton, who was baptized the 20th of March, 1568. She married Richard Remington, D.D., Prebendary of North Newbold, in the Church of York, and Archdeacon of Cleveland.

VIII. Anne Hutton, who was baptized 25th Dec., 1575. She married Sir John Calverley, Knt., of Littleburne, in the county of Durham.

Sir Timothy Hutton, his successor, above mentioned, was a Justice of the Peace in 1598; was High Sheriff of Yorkshire in 1605, and then received the honour of knighthood. In March, 1592, he married Elizabeth, the third daughter of Sir George Bowes, of Streatlam. He died on the 6th April, 1629, having charged his son always to keep a Levite* in his house. He left the following children:

I. Matthew Hutton, who died young.

II. Matthew Hutton, his father's successor, of whom hereafter.

* A clergyman, or chaplain—according to Lord Macaulay, at this period—"A young *Levite*—such was the phrase then in use—might be had for his board, a small garret, and ten pounds a year, and might not only perform his own professional functions, might not only be the most patient of butts and of listeners, might not only be always ready in fine weather for bowls, and in rainy weather for shovel-board, but might also save the expense of a gardener, or of a groom. Sometimes the reverend man nailed up the apricots; and sometimes he curried the coach-horses. He cast up the farrier's bills—he walked ten miles with a message or a parcel—he was permitted to dine with the family; but he was expected to content himself with the plainest fare. He might fill himself with the corned beef and carrots; but, as soon as the tarts and cheese-cakes made their appearance, he quitted his seat, and stood aloof till he was summoned to return thanks for the repast, from a great part of which he had been excluded. Perhaps, after some years of service, he was presented to a living sufficient to support him. * * With his cure he was expected to take a wife. The wife had ordinarily been in the patron's service; and it was well if she was not suspected of standing too high in the patron's favour. * * * A waiting woman was generally considered as the most suitable helpmate for a parson."—Queen Elizabeth, however, in her Injunctions of 1559, enjoined that no clergyman should espouse a *servant girl*, without the consent of the master and mistress.

III. Timothy Hutton, who was baptized 22nd Sept., 1601, and was a merchant at Leeds. He married Margaret, daughter of Sir John Bennet, Knt., and died without issue.

IV. Philip Hutton (a scholar). He was lieutenant in Sir Charles Vavasour's Regiment for the Scottish expedition: he married Elizabeth, daughter of Thomas Bowes, eighth son of Sir George Bowes, Knt., of Streatlam, by whom he left issue.

V. Beatrice Hutton, who was married at Richmond, the 27th November, 1613, to James Mauleverer, Esq., of Arnecliffe. She left no issue.

VI. Frances Hutton, who was married at Richmond, 26th December, 1615, to John Dodsworth, Esq., of Thornton-Watlass.

VII. John Hutton (a scholar): he married a daughter of — More (a Yorkshire family) and was buried 7th August, 1638.

VIII. Elizabeth Hutton, who married Edward Cliburne, Esq., of Cliburne, in Westmoreland.

IX. Thomas Hutton, of the Six Clerks' Office: he was buried at Marske, 7th May, 1653.

X. Anne Hutton, who died when an infant.

Matthew Hutton, last above mentioned, was born 22nd October, 1597, and was married at Hornby Castle, in Yorkshire (the seat of the lady's father), on the 22nd April, 1617, to Barbara, eldest daughter of Sir Conyers D'Arcy, afterwards Lord D'Arcy, and sister of Conyers, first Earl of Holderness, by whom he had the following children:

I. John Hutton, his successor, of whom hereafter.

II. Timothy Hutton, John Hutton's twin brother, who died 28th June, 1628.

III. Matthew Hutton, who was born at Richmond, 30th December, 1621.

IV. Dorothy Hutton, who was born at Marske, 22nd July, 1620, and married to Sir Philip Warwick, Knt. She died at Marske, 6th August, 1644.

V. Barbara Hutton, born at Richmond, 30th Dec., 1630, and was married at Marske, 16th April, 1655, to Thomas Lister, Esq., of Bawtry.

VI. Mary Hutton, who was born at Marske, 4th Feb., 1637, and married to Richard Peirse, Esq., of Hutton Bonville, by whom she left issue,

I. John Peirse.

II. Henry Peirse.

VII. Elizabeth Hutton, who was born at Richmond, 8th March, 1628-9.

VIII. Othy Hutton, who was baptized 8th Nov., 1642.

John Hutton, Esq., above mentioned, was born at Marske, 6th October, 1625, and succeeded to the Marske estate. He married Frances, second daughter of Bryan Stapylton, Esq., of Myton, and had issue,

I. John Hutton, his successor, of whom hereafter.

II. Matthew Hutton, who was born 28th Feb., 1652, and died in 1653.

III. Frances Hutton, who was baptized 7th March, 1653, and married to Andrew Wanley, Esq., of Ilford, Gloucestershire.

IV. Barbara Hutton, who was born 12th Oct., 1655, and buried 19th Feb., 1694.

V. Olyfe Hutton, who was born 30th Nov., 1656, and married to Thomas Alcock, Esq., of Chatham.

VI. Elizabeth Hutton, who was born in 1656, and died 13th August, 1718.

VII. Henrietta Hutton, who was born Nov., 1660, and buried at Marske, 17th May, 1728.

John Hutton, Esq., above mentioned, who was born at Marske, 14th July, 1659: he married Dorothy, daughter of William Dyke, Esq., of Trant, in Sussex: he was buried on the 2nd March, 1730-1: he had the following children:

I. John Hutton, his successor, of whom hereafter.

II. Matthew Hutton, D.D., who was born at Marske, the 5th January, 1692-3. In 1702, he went to school

at Kirkby-hill near Richmond, and in 1704, he removed with his master, the Rev. Mr. Lloyd, to Ripon, under whose tuition he remained six years. He was admitted in Jesus College, Cambridge, in 1710, in which college he took his degree of B.A. in 1713, being in the same year appointed Chaplain to the Duke of Somerset. In 1717 he was elected a Fellow of Christ's College, and in the same year graduated M.A. In 1726 he was Rector of Trowbridge, in Wiltshire. In 1729 he became Rector of Spofforth. He was made a Prebendary of York by Archbishop Blackburn, who was appointed one of the Chaplains to King George II., and went with his Majesty to Hanover in 1736. In 1737 he obtained a Canonry of Windsor, which, on the 18th of May, 1739, he exchanged for a Prebend of Westminster, which he resigned in 1745, when he became Bishop of Bangor. On the 29th December, 1747, he was translated to the Archbishopric of York, and in April, 1757, to that of Canterbury. In March, 1731, he married Mary, daughter of John Lutman, of Petworth, Sussex, who died in May, 1779. He died on the 19th March, 1758, at Duke-street, Westminster, and was buried at Lambeth, near the Communion Table.* He left issue by his said wife.

III. Elizabeth Hutton, who was born 30th November, 1683, and died 23rd May, 1759.

IV. Francès Hutton, who was born 22nd September, 1686, and buried at Thornton-Watlass 4th Oct., 1722.

V. Dorothy Hutton, who was baptized 8th August, 1694, and buried 6th May, 1696.

VI. Barbara Hutton, who was baptized 9th July, 1697, and buried 8th December, 1720.

VII. Timothy Hutton, who was baptized 31st March, 1696.

VIII. Thomas Hutton, who was baptized January, 1698, and buried 16th December, 1702.

* "The Family of HUTTON, of Marske, is the only one in the kingdom who can be said to have yielded to the Church two English Archbishops, who both appear to have been great and good prelates."—NICHOLS.

IX. Henrietta Hutton, who was baptized 23rd Oct., 1701, and married 18th February, 1718, to John Dodsworth, Esq., of Thornton-Watlass. She died in May, 1797, and left issue—

Elizabeth Dodsworth, who married the Rev. James Tunstall, by whom she had a daughter, Henrietta Maria Tunstall, who married John Croft, Esq., by whom she had a son, Sir John Croft, Bart., and Baron da Serra da Estrella, and K.T.S., who was born in 1778.

John Hutton, Esq., above mentioned, was baptized on the 18th November, 1691. He married first, Barbara Barker, of Chapel Town, near Leeds. She dying without issue, he, on the 5th March, 1726, married secondly, Elizabeth, daughter of James Lord D'Arcy, of Navan, in the kingdom of Ireland. In the year 1735 he bought Clifton Castle from one of the Prestons. By his second marriage he had the following issue:

I. John Hutton, his successor, of whom hereafter.

II. Anne Hutton, who was baptized 8th January, 1731, and married to George Wanley Bowes, Esq., of Thornton, by whom she had three daughters, their father's co-heirs, namely:

I. Margaret Wanley Bowes.

II. Anne Bowes, married to Thomas Thornton, Esq., late Lieutenant-Colonel of the Coldstream Guards.

III. Elizabeth Bowes, married to Rev. Robert Croft.

III. Matthew Hutton, who was baptized 13th October, 1733; died 31st December, 1782, and buried at Ripon.

IV. Elizabeth Hutton, was baptized 24th February, 1734, and married Henry Pulleine, Esq., of Carleton Hall, Yorkshire, on the 11th September, 1764. She had (among other issue),

Henry Percy Pulleine, Esq., who was born in 1770: he purchased Crakehall in 1814: he married, in 1796, Elizabeth, daughter of Anthony Askew, Esq., M.D., of London, and niece of Henry Askew, Esq., of Redheugh, and had amongst other issue,

I. James Pulleine, Esq., now of Crakehall, Justice of the Peace, &c.

II. The Rev. Robert Pulleine, now the Rector of Newby Wiske.

V. James Hutton, Esq., of Aldborough Hall, near Masham: he was baptized 11th June, 1739, and married in July, 1793, Mary the daughter of John Hoyle, of Middleham: he died 2nd March, 1798, leaving by his said wife (who survived him till March, 1803) an only child, namely,

James Henry D'Arcy Hutton, Esq., of Aldborough Hall, who was born on the 24th March, 1796: he was married in London, on the 9th June, 1821, to Harriet, daughter of Robert Aggas, Esq., of Earsham, Norfolk, and died Dec. 31st, 1844, leaving issue,

I. John Timothy D'Arcy Hutton, Esq., his successor, who was born in 1822, and is a Justice of the Peace for the North Riding of Yorkshire. He married — daughter of Thomas March Lamb, Esq., of Middleham.

II. James D'Arcy Hutton, Esq.

III. Harriet Emma Hutton, who was born on the 30th May, 1826, and married the Rev. Richard Cattley, now a minor canon in Worcester Cathedral. She died on the 1st December, 1854, leaving an only son.

John Hutton, Esq., above mentioned, was born on the 30th September, 1730, and died at Marske in September, 1782. He married Anne, daughter of Richard Ling, of Appleby, and by her had four sons:—

I. John Hutton, Esq., late of Marske, who was born 24th September, 1774, and died 14th August, 1841, unmarried. He was High Sheriff of Yorkshire in 1825. According to the inscription on a monument in the church at Marske, he was a “generous patron of Societies for Agriculture, Literature, and Science; a liberal landlord, and kind encourager of all practical improvements; a steady supporter on every occasion of political reform,





CLIFTON CASTLE.

and a hospitable gentleman in the hall of his ancestors; honoured and beloved by all who entered it as guests and as friends."

II. James Hutton, Esq., a captain in the army, who was born 11th January, 1776, and died at Marske, 24th January, 1803.

III. Matthew Hutton, Esq., a captain in the army. He died at Macclesfield, in Cheshire, on the 12th December, 1813, aged thirty-five, and was buried at his own request under the obelisk, at Marske, where he had often as a boy sat, enchanted with the beauties of the mountain scenery.

IV. Timothy Hutton, Esq., of Clifton Castle, and Marske, was born at Marske, on the 16th October, 1779, and on the 12th December, 1804, married Elizabeth, youngest daughter of William Chaytor, Esq., of Spennithorne. He was High Sheriff of Yorkshire in the year 1844.

Arms—Gu., on a fess between three cushions, arg., fringed and tasselled, or, as many fleurs-de-lis of the field.

Crest—On a cushion gu., placed lozenge-wise, an open book, the edges gilt, with the words *Odor Vitæ* inscribed.

Motto—*Spiritus gladius.*

ASCOUGH.

LINEAGE.



Richard Ascoughe, who was possessed of the manor of Dalbourne-Norris, Newsam, Burstall, Thornton, Waroft, Worlaby, Newby, and other lands, to him and his heirs for ever, married the daughter of Thomas Broughe, of Hackford, and by her had issue,

Richard Ascoughe, Esquire, of Pot Grange, near Mas-

ham, who married the daughter of Lord Fitzhugh, and by her had issue :

I. William Ascoughe,* who was educated for the church, and would appear from his rapid advancement in the church to have been a person of great learning. He was entered at the University of Cambridge where he took his LL.D. degree. He was made archdeacon of Dorset; afterwards in the year 1433, was made master of Michael House College (which is now incorporated with Trinity College), Cambridge, and Secretary to Henry VI. On the 10th November, 1436, he was installed in the prebend of Sutton-cum-Buckingham, alias Bucks, in Lincoln Cathedral. He was raised to the see of Salisbury by a Papal Bull, dated 11th February, 1437. He received the temporalities of his Bishopric on the 13th July, in the year 1438, and was consecrated on the 20th July, 1438, in the King's chapel at Windsor, of which chapel he was canon. He was the first Bishop who held the office of Confessor to the King. After he had filled the see twelve years, viz., in the year 1450, the memorable rebellion under Jack Cade broke out, when the commotion rapidly spread to every part of the kingdom. His tenants being inflamed by the spirit of the insurrection, flocked to his residence at Eddington, on the 29th June, 1450, at the time he was celebrating mass. Regardless alike of the sanctity of the place, and of his character, they dragged him from the altar to a neighbouring hill. Whilst he was on his knees engaged in prayer, they dashed out his brains, and stripped him to his very shirt, and did not even spare him that, but took it and tore it into rags, every one of them taking to

* Dodsworth in his "Account of the Cathedral Church of Salisbury," p. 49, says that Bishop Ascough was the son of "*Robert Ascough, of Pot Grange, in Yorkshire.*" Bishop Godwin, however, says that William Ascough, bishop of Salisbury, was second son of *Richard Ascough*, and brother of *Richard Ascough, of Pot Grange, near Masham.* The bishop is also stated to be the son of *Richard*, in Harl. MSS., No. 2118, fo. 4, (British Museum). See also "*Whitaker's History of Richmondshire,*" vol. ii., p. 5, citing Hopkinson's MSS.

himself a piece to keep as a monument of their worthy exploit. The insurgents concluded this tragedy by plundering his mansion, and carrying away with them 10,000 marks in money. The pretext assigned for this outrage was his employment at court, and consequent absence from his diocese; in all probability it was but a pretext and nothing more. His mutilated remains were interred in the neighbouring house of Bon-hommes. It appears by a Register which was kept by him that the doctrines of Wickliff had continued to spread, not only among the laity, but even among the clergy.

II. Richard Ascoughe, of whom presently.

III. Peter Ascough (a priest).

Richard Ascough, Esq. (above named) succeeded his father. He married a daughter of Sir John Basern, or Bassingburne, of Horton, Knight. He died and was buried at Bedale. He left two sons:—

I. Robert Ascoughe, his successor, of whom presently.

II. John Ascoughe, Esq., of Cowling, near Bedale. He was the founder of another branch of the family whose pedigree will be found below. He died the 3rd Hen. VI., viz., 8th January, 1425.*

Robert Ascough, Esq. (above named) succeeded his father, and was described as of Pot Grange. He married and had a son and successor,

Richard Ascough, of Pot-Grange, who married Mary,

* PEDIGREE OF THE AYSCOUGHES OF COWLING NEAR BEDALE.

John Ayscough, Esq., described as of Cowling, in the parish of Bedale-cum-Ayscough, in the County of York, in the 9 Rich. II., 1385, and mentioned in the forgoing Pedigree, married a daughter of Sir John Arncliffe, Knt. He died Jan. 8th, 3 Henry VI., 1425, and left a son and successor,

Sir William Ayscough, Knt., one of the Judges of the Court of Common Pleas. He married Elizabeth, daughter and one of the heiresses of John Calthorp, Esq. He died in 1456, and was buried at Bedale. He left two sons, viz.:

I. John Ascough, from whom Sir Edward Ayscough, Knt., of South Kelsey in Lincolnshire, is descended; and

II. William Ascough, who is also described as of Cowling. He married one of the daughters and co-heiresses of a younger son of — Fulthorpe,

the daughter of Thomas Lascelles, Esq. of Brockenbrough, by whom he had three sons:—

I. Robert Ascough, his successor (of whom hereafter).

II. Thomas Ascough.

III. John Ascough.

Robert Ascough (last above named) succeeded his father. He married Isabella, the daughter of Thomas Strangwayes, Esq., by whom he had an only son, who was his successor, viz:

William Ascough, Esq., who is described as of Pot Grange. He married and had the following children,

I. Ralfe Ascough, his successor, of whom presently.

II. Guy Ascough.

III. John Ascough.

IV. Henry Ascough, who founded the family of Askwith, of Newstead.*

of Fulthorpe, in the County of Durham, and of Hipswell in Yorkshire. He died about 35 Henry VIII., 1544, and left a son and successor, viz:

George Ayscough, of Cowling, who married Alice, sister to Sir Christopher Wray, of Glentworthe in Lincolnshire, Chief Justice of the Court of King's Bench, in the reign of Queen Elizabeth. He died about 1556, and left a son and successor, viz.:

Christopher Ayscough, of Richmond, who married, and from whom the AYSCOUGHS OF SKEWSBY, in Yorkshire, are descended.

* PEDIGREE OF THE ASKWITHS OF NEWSTEAD.

Henry Askwith married Cicely, daughter of William Conyers, of Marske, by Catherine the daughter of Sir William Mauleverer, of Arnecliffe, Knt. His will is dated 22nd Nov., 1561, and proved at Richmond on the 9th June, 1562. He left by his said wife the following issue, viz:

I. Christopher Ascough, of Newstead, who married Jane, daughter of Richard Pavor, of Brome, near Spofford. He took part in the putting down of the Rebellion of 1569, but died during its continuance. He left by his wife the following issue, viz:

I. Richard Askwith, of Borrowby (1584), who married Agnes, daughter of James Westrope, of Cornburgh, by whom he had a son Richard.

II. Thomas Askwith.

III. Henry Askwith, who married a daughter of Francis Bainbrigg.

IV. Cicely, who married Francis Bainbrigg.

V. Christian, who married Ralph Atkinson.

II. Simon Ascough, who married a daughter of — Burgh, and relict of Mr. Beverley.

V. Thomas Ascough.

VI. Miles Ascough.

VII. Lawrence Ascough.

VIII. Jane, the wife of — Steele.

IX. Elizabeth, the wife of — Walker.

Ralph Ascough, Esq. (above-named) succeeded his father, and is described as of Pot Grange. He married — the daughter of — Thackwrey, of Sykesworth, in Yorkshire, by whom he had the following children:

I. John Ascough (his successor) of whom presently.

II. Thomas Ascough.

John Ascough (above named) succeeded his father. He married Alice the daughter of — Cooper, by whom he had the following children:

I. Robert Ayscough (his successor) and of whom presently.

II. Thomas Ayscough, draper, York, of whom Torr in his "Antiquities of the City of York," says he "was one of the Sheriffs of the city [1592—3]. He was born at Pott Grange, died the 29th of August, 1609, of the age of 71 years, and lies buried in the church of All Saints, North-street." He married twice. His first wife was Ursula, daughter of Robert Sandwich, of York, brewer, by whom he had the following children:

I. Thomas, who died in his father's life time.

II. Christopher, who was baptized at St. Crux Church, York, in 1577, and married Julian Briggs, of York, who survived him, and afterwards married Philip Ayscough, of York, as mentioned below.

III. Alice, who was living unmarried in 1609.

His second wife was Anne the daughter of Robert Ellerker, of Thoulthorpe, gentleman. She was buried the 22nd February, 1607—8. He had by her a son,

Thomas, who was living in 1609, at the time of his

III. George Askwith, who was Curate at Hunton, and died in 1575.

IV. Adam Askwith, who died in 1594.

V. Barbara, who married Robert Conyers, of Coatham, by whom he had a daughter, Ann Conyers.

father's death, by his will dated the 22nd August, 1609, and proved 6th September, 1609, directed his body to be buried in the church of All Saints, North-street, York, "in the side quire there, so neare unto my last wife as convenientlie may be," and he bequeathed to his daughter Alice Askwith "half a dozen silver spoones of th' older sorte with makeshead on them." He also mentions his sons Christopher and Thomas, his daughter Alice Askwith, and Julian, wife of his son Christopher Askwith, also his nephew Robert Askwith, alderman.*

III. Christopher Ayscough, citizen of London, who was living in 1596, and had issue.

IV. Margaret, the wife of William Barton, of York, who was married in 1572 in St. Crux Church, York.

V. Maudelin, the wife of John Ascough, of Kilburne, afterwards of Thomas Browne, and afterwards of Percival Metcalfe, whose wife she was in 1596.

Robert Ayscough, above-named, succeeded his father. He was a draper in York. Torr in his "Antiquities of the city of York," says of him that he was "Alderman and twice Lord Mayor of this city. He was born at Pot Grange, died 18th August, 1597: he lies buried in Crux Church under a 'blew' marble in the chancel. He gave at his death, to the City, 20lb."† He appears to have

* The following is a copy of a monumental inscription in the choir of the church of All Saints, North-street, York, as taken from the small edition of "Drake's Eboracum," (Edit. 1788).

"Here lieth the bodies of Thomas Askwith and Anne, his wife, late of this city of York, and sometime one of the Sheriffs of the same city. Which Thomas was born at Pot Grange, who in the seventy-first year of his age, and the 29th of August, 1609, departed this life, leaving behind him two sons and one daughter, viz: Christopher and Alice, whom he had by Ursula Sandwich, daughter to Robert Sandwich, of this city, brewer, and Thomas, whom he had by the same Anne, and daughter to Robert Ellerker, of Thoulthorpe, gent, being in their time, for good hospitality and other laudable parts, a credit and ornament to this city." His second wife was buried in the same church on the 22nd February, 1607—8.

† Thomas Gent, in his "History of York," in speaking of this person, says:—"The above Lord Mayor was buried in Crux church, and had this inscription over him, 'Here lieth the body of Robert Askwith, late alderman,

been City Sheriff in 1572-3; to have been elected Alderman of the City on the 3rd of April, 1577, vice Gregory Peacock resigned; and to have been Lord Mayor of York in the years 1580 and 1593; and also represented the City of York in Parliament from the year 1588 to 1592. He married at the church of Saint Dennis in York, on the 10th August, 1561, Elizabeth*



PORTRAIT OF ALDERMAN ROBERT ASCOUGH, OF YORK.

and twice Lord Mayor of this city, born at Pot Grainge, who the LXXVII year of his age, and on the XVIII day of August, 1597, departed this life, leaving behind him four sons and two daughters, viz: Robert, Elizabeth, Katherine, Thomas, George, and Philip, being in his time for good hospitality and other laudable parts, a credit and ornament to this city.'"

In his will, which is dated 14th February, 29th Eliz., he mentions the Lady Elizabeth, his wife, his sisters Dyneley, of Swillington, Magdalen, wife of Percival Metcalfe, and Catherine Barton, his brothers Christopher and Thomas; his sons Robert, Thomas, George, and Philip Askwith; his daughters, Katherine, wife of Robert Myers, and Elizabeth, wife of Richard Hodgson, and his daughter-in-law, Mary Askwith, wife of his son, Robert Askwith. His will was proved on the 23rd August, 1597.

* Lady Elizabeth Askwith, widow, late wife of Robert Askwith of York,

the daughter and sole heiress of Thomas Cartmele, of York, by whom he had the following children :

I. Robert Ayscough, his successor (of whom hereafter).

II. Thomas Ayscough, who was baptized at Crux Church, York, in 1572, and died without issue.

III. George Ascough (of whom hereafter, he having succeeded his eldest brother).

IV. Philip Ayscough, of York, Gentleman, who was baptized at Crux Church, York, in 1578, and married Julian Ascough above-named, formerly Briggs.

V. Elizabeth, the wife of Richard Hodgson, of Cherry

Alderman, deceased, by her will dated 27th August, 6 James I., 1608, directed her body to be buried in St. Crux's church, "on the south side within the Chancell there, eyther in the place wherein my said husband was buried or as neere adjoyninge thereto as possible may be. It'm, I give & bequeath unto my sonne Robert Askwith, Alderman, on' basen & eure of silver p'cell guilt, two high olde fashioned saltes of silver, w'th a cover double gylte, two great high boules double gylte w'ch I bought of Mr. John Wadsworth, one white shell or nutte barred and sette in silver double gylte, one dozen of Apostle spoones & one bowle of silver double gylte, plain, like the fashion of a callice. To my dau.-in-law the Lady Mary Askwith, wife of my said son Robert A., one piece of plate of silver called a Nutte, w'th a cover double gylte, wrought w'th silver under the shell and aboute the foote, & one sugar boxe of silver w'th a spoone of silver thereto belonging, one table clothe, one dozen of napkins, & one towell, all of damaske worke w'ch I bought of Mr. Christofer Brooke, & one drinkinge napkin of damaske, one diaper table cloth fower yardes longe, seaven diaper table napkins of damaske, one fyne paire of lynnens sheetes, one fore kertle of wrought velvette w'ch I bought last, & a branched damaske petticote, my great gilley potte, a laddle that doth belong to yt, one drippinge pan, & two hambrough pottes, a cheine of golde, & ye purse wherein the same is." The will then goes on to give legacies to her daughter Elizabeth, wife of Richard Hodgson, Esq., of Cherry Burton. To her sons Thomas, George, and Philip Askwith, and to Sarah Askwith wife of the said George, and thus proceeds, "It'm, I give unto Robert Myers, Alderma', and now Lord Maior of the Cittie of Yorke, who married Katherine my late daughter, two spurres Ryalls of golde and a ringe of golde w'th a stone in yt, called an ametist, enamilled w'th blacke." She also left legacies to Thomas and Elizabeth Myers children of the said Katherine and Robert Myers, and appointed her son Robert Askwith, executor of her will, who proved the same at York on the 22nd of October, 1608.

Burton, Yorkshire, Gentleman, by whom she had issue.

VI. Catherine, the wife of Robert Mears, or Myers, of York. She was baptized at Crux Church, York, in 1570; was married there in 1589, and was living in 1597.

Sir Robert Ayscough, above-named, was baptized at St. Crux Church, York, 28th December, 1567, and succeeded his father. He was also a draper in York—was Sheriff of the City of York in 1599-1600, elected alderman 22nd April, 1602, and was twice Lord Mayor of York, namely, in the years 1606, and 1617, in which latter year it is stated in Nicholls' Progress of James I., vol. iii., that "On the 11th April, 1617, the King entered the city of York. On the 13th, being Sunday, he went to the Cathedral, when the Archbishop preached. After sermon ended, he touched about seventy persons for the king's evil. This day he dined with the Lord Mayor, with his whole Court, and after dinner knighted Sir Robert Ayscough, the Lord Mayor, and Sir Richard Hutton, the Recorder." Sir Robert represented the city of York in Parliament in the year 1604, and in several subsequent years, having been elected on the 5th March, 1604-5—21st March, 1614-15—and in 1620. This Sir Robert Ayscough married Mary —, who was living in 1596: having died without issue, he was succeeded by his brother,

George Ascough, who is described as of York: he was baptized at Crux Church, York, in 1575, and married Sarah, daughter of Leonard Belt, of the city of York, Gentleman, at Crux Church, York, in 1599: he died in the year 1626, and left the following children:

I. Robert Ayscough, his successor (of whom presently).

II. William Ayscough, who was baptized at St. Crux Church, York, in 1609, and died unmarried.

III. Mary, wife of the Rev. Josias Bellwood, Clerk, M.A. She was baptized in St. Crux Church, York, in 1608, and married at Trinity Church, Goodram-gate, York, in

1637. She left a son, Roger Bellwood, a student in the Middle Temple, London, 21st March, 1665.

IV. Elizabeth, the wife of Christopher Geldard, a merchant in York; afterwards of Abraham Bynns, another merchant in York. She was baptized at St. Crux Church, York, in 1611.

V. Frances, the wife of John Morret, citizen of London. She was baptized at St. Crux Church, York, in 1616.

VI. Anne, the wife of Anthony Place, of York. She was baptized at St. Crux Church, York, in 1618.

Robert Ayscough, above-mentioned, succeeded his father, and is described in "Dugdale's Visitation of Yorkshire," in 1665, as being then "of the city of York, æt. 59 on 13th September, anno 1665," and as having married Elizabeth, daughter and heir of Thomas Peake, of Thornton, in Lincolnshire. By this marriage he had the following children:

I. William Ayscough, Doctor of Physic, aged 29, on the 13th September, 1665.

II. Robert Ayscough.

III. Elizabeth Ayscough.

IV. Martha Ayscough, who died young.

V. Mary Ayscough.

ARMS.—One, and four, sable, a fess or, between three asses passant argent, a crescent for difference, two and three—a fret—a crescent for difference.

Crest—An ass's head arg., charged with a crescent gules.

LONSDALE OF MASHAM.

LINEAGE.

Michael Beckwith, of Nutwith Cote, near Masham, Tailor, had by his wife an only daughter,

Margaret Beckwith, who was married at Masham, on the 13th of November, 1698, to John Lonsdale, of Masham, grocer. This John Lonsdale died at Masham on the 18th of February, 1703 (where he was also buried) leaving an only son,

John Lonsdale, of Masham, gentleman, who was baptized at Masham on the 19th Oct., 1701. He married Mary, the daughter of William Beckwith, Esq., of Lambhill, near Masham, who died when 36 years old, and was buried at Masham on the 20th Sept., 1739. John Lonsdale, her husband, died at Masham (and was buried there on the 1st of May, 1784), leaving an only son,

The Rev. John Lonsdale, clerk, B.A., who was baptized at Masham on the 22nd February, 1738. He was married at Scarborough, on the 5th September, 1785, to Elizabeth, the daughter of Charles Steer, Esq., of Wakefield (born 23rd October, 1749). In 1791 he was living at New-Miller-dam, Yorkshire. He died in 1807, and was buried at Darfield, in the West Riding of Yorkshire, of which place he was vicar. He left, with other issue, a son,

The Right Rev. John Lonsdale, D.D., Lord Bishop of Lichfield. He was born on the 17th January, 1788, and christened at Sandal, near Wakefield, on the 8th of March, 1788. He was educated at Heath School, near Halifax, and afterwards at Eton. He afterwards, in 1806, entered King's College, Cambridge, of which he became a Fellow, where he graduated B.A. in 1811—having gained Sir William Browne's medals for the best Latin Ode in 1807, and again in 1809. In the latter year, he also obtained the Battie University Scholarship. He took the degree of M.A. in 1814, and that of B.D. in February, 1824, and was successively Christian Advocate (1821) at Cambridge; Domestic Chaplain to the Archbishop of Canterbury (1822); Prebendary of St. Paul's (1831); Principal of King's College London, (1839); Rector of Southfleet (1839); Archdeacon of Middlesex (1842). He was many years Preacher at Lincoln's Inn, and was consecrated in 1843, Lord Bishop of Lichfield. In 1815 he married Sophia, daughter of John Bolland, Esq., M.P., of London, sister to Sir William Bolland, Knt., one of the Barons of the Court of Exchequer of Pleas, and niece of the late Henry Bolland, Roger Bolland, Joseph Bolland, and Miss —— Bolland, all of Masham.



VIEW OF MASHAM CHURCH FROM THE SOUTH.

HISTORY OF MASHAM CHURCH.

View not this Spire by measure giv'n
To buildings rais'd by common hands;
That fabric rises high as Heaven,
Whose basis on devotion stands.

While yet we draw this vital breath,
We can our hope and faith declare;
But Charity, beyond our death,
Will even in our works appear.

Blest be he call'd among good men,
Who to his God this column rais'd!
Tho' lightning shake the Spire again,
The man who built it shall be prais'd.

FIG 1



FIG 2

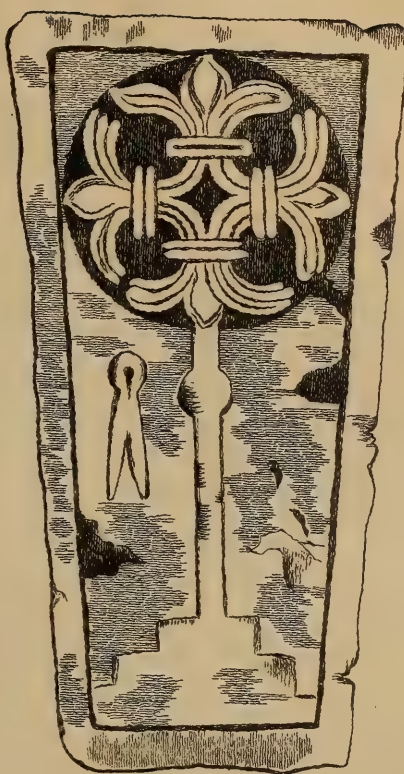
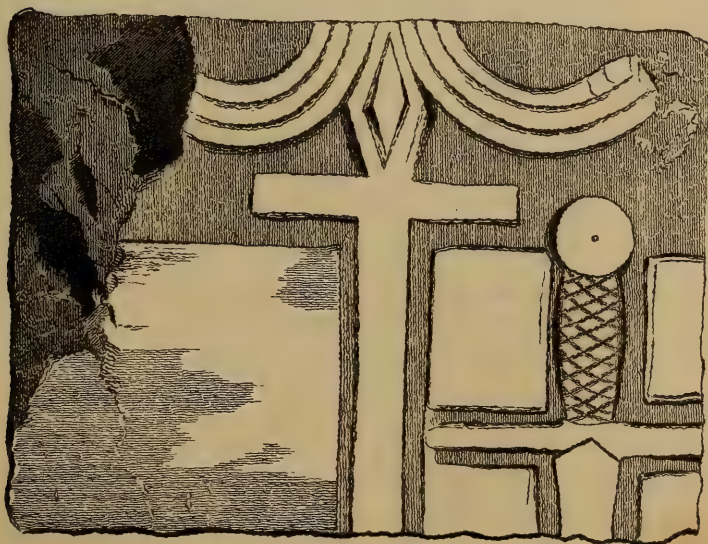


FIG 3



Sepulchral Slabs in Masham Church

Yet Spires and Towers in dust shall lie,
The weak efforts of human pains ;
And Faith and Hope themselves shall die,
While deathless Charity remains.

PRIOR.

THE earliest record in which the church at Masham is mentioned, is the Domesday Survey, which, as I have before mentioned, was compiled under the direction of William the Conqueror, soon after the Conquest. In that document it is stated that there was then a church at Masham. From this we know that our church has existed from the times of our Saxon forefathers, but nothing further, and we are left to conjecture, by the light of contemporaneous history, as to what particular period of the Saxon era it had its rise. The building itself does not aid us in this enquiry, for no portion of it (unless possibly that part of it which is now used as the vestry) can be assigned to the Saxon times—the oldest part of it being of Norman architecture, and not Saxon. The present building, however, is evidently not the original one, but is a “rebuild,” and that, too, upon the site of an old building, of a much larger extent, which had been burnt down (probably in one of the incursions of the Danes, who are known to have ravaged this part of the country). During the progress of the late restoration of the church, a great many stones, which had apparently formed part of a former building, and of undoubted Saxon masonry, some of them too bearing indisputable marks of having been exposed to fire, were found worked up, and built into the walls of the present building. And as further evidences of fire, in digging in the churchyard, great quantities of charcoal, charred wood, and wood-ashes have been found, apparently the debris or remains of an extensive fire. The stones of Saxon masonry which have been thus worked up again, and used in the construction of the present building, is an important fact in my present inquiry. Besides which some sepulchral slabs, which were brought to light

during the restoration, are of unquestionable Saxon workmanship, and that, too—if we may judge from the character of the figures engraved thereon, and the rude workmanship—of a very early date.

The pedestal to the dial, still standing in the churchyard, is also undoubtedly of Saxon workmanship, and has formerly been the lower frustrum of an ancient Saxon cross. This cross is particularly noticed in Camden's "Britannia," by Gough, and in Whitaker's "History of Richmondshire," where an elaborate engraving of it is given. Mr. Longstaffe, too, in his more recent work on Richmondshire, also alludes to it, and in referring to the scroll work, or carving, upon it, says that it has the twelve Apostles round the top, and below are figures on horseback, the adoration of the Magi, &c.; and adds, that the form of the chair on which the Virgin is sitting, merits notice.

We learn from history, that the cross originally pointed out the spots where Christianity was first preached to our forefathers, and near to which the church was usually erected, and that it afterwards became part of the decoration of every church; and we further learn from the like source, that these crosses were generally removed from our churchyards at the time of the Reformation, or were afterwards destroyed or defaced by the Puritans, in their great, but mistaken zeal, for destroying everything, good or bad, which, according to their own distempered notions, at all savoured of Roman Catholicism. The latter appears to have been the fate of our beautiful church-cross, a circumstance which is much to be deplored. It is said in "Camden's Britannia," by Gough, that it was more especially customary to erect crosses at the places where Paulinus preached, and celebrated divine service, bearing this inscription—"Paulinus hic prædicavit et celebravit." Three church-crosses now in the churchyard of Whalley, in Lancashire, and one formerly in that of Dewsbury, in Yorkshire, are (according to Mr. Walbran, in his "History of Gainford") tradi-







Ancient Cross at Masham.

tionally said to record the preaching of Paulinus, besides which there is or was another near Easingwold. As the upper portion of our church-cross is lost, we are unable to tell whether it was one of Paulinus's crosses or not, we must therefore look elsewhere for further light upon the subject, and especially into the history of our early British Church, in this particular district.

We learn from the early church historians, that although St. Paul, or some other of the Disciples, certainly planted a Christian church in Britain,* yet that owing to the great persecutions it had to undergo—the evil influences of its Pagan rulers—and other causes, most of the early Britains had fallen away from the true faith,† and had become Pagan idolators, when Paulinus,

* Dr. Henry, says, “it appears to be morally certain that the first rays of the light of the Gospel reached the south-east parts of this island sometime between 43, and 61, A.D.” [Namely sometime between nine years and twenty-seven years after our Saviour's crucifixion]. See Henry's “Great Britain,” vol. 1, pp. 187—9.

Tertullian (writing A.D. 209) says, that “Those parts of Britain even into which the Roman arms had never penetrated, were become subject to Christ”—alluding to the assertion that Christianity was introduced into Britain by some of the Roman soldiers who had embraced Christianity at Rome before coming to Britain with the Roman legions.—See Tertullian, “Contra Judæos,” c. 7. I have already shewn, *ante*, p. 40, that the Romans had penetrated into this district long before the time of Tertullian, indeed shortly after the crucifixion of our Saviour.—See note, *ante*, p. 67.

Eusebius (writing A.D. 320) says the gospel was preached to the Romans, Persians, &c., and those which are called the British Islands.—See Eusebius, *Demonstr. Evang.* lib. 3, c. 7, p. 113.

Gildas, our own British historian (A.D. 560) affirms that Christianity had long been introduced into this country in his own day.—See Gildas' *Epist.*, Rudder. Indeed we have undisputed evidence that three British Bishops were at the Council of Arles, in 314, and took part in the business of that Council.

† “There is no truth in the statement so frequently and absurdly advanced, that Christianity was driven out of Britain.—True that the Church suffered bitter persecutions at the hands of its enemies and that it was driven into the mountainous parts of Wales and Cornwall : but that the Britons or their Church, were ever driven out of the land is contrary to historical fact.”—See “The Romans in Gloucestershire,” by the Rev. S. Lysons, M.A.

Theodoret says that there were many churches in Britain in his day, and Fuller says that “the Christian faith ever remained in Britain.”

one of the forty companions of St. Augustine,* the Roman missionary to Britain, appeared amongst us A.D. 625, in the capacity of chaplain to Ethelburga,† the Queen of Edwin, the then Saxon King of Northumbria, and Bretwalda, or leader of the Britains. Paulinus thus circumstanced, and having also by his zealous endeavours succeeded in effecting the conversion of the king himself (who had previously been a Pagan) thereby acquired great influence, which he did not fail to bring to bear in also effecting the conversion of the people. In those days, the old Saxon kings commonly resided in country villages, where they had their halls or hunting seats, and from time to time removed from one of these residences

* Mr. Wright, in his work, "The Celt, the Roman, and the Saxon," gives the following account of the circumstances which occasioned St. Augustine's mission to Britain: "During the Pontificate of Pelagius II., some boys from Saxon Britain, distinguished by their beauty, were exposed for sale in the slave-market at Rome. The priest Gregory, as he passed through the ancient forum, was struck with their appearance, and on being told that they were Pagans from Britain, he lamented that people having such bright countenances should remain a prey to the spirit of darkness. Continuing the conversation, with the same play upon words, he was told that they were called Angles, upon which he observed that it was a just name, for they had angelic faces and ought to be the coheirs of angels in heaven. He then asked the name of the province from which they came, and was told that it was the kingdom of Deira [being the kingdom in which this district was then situate]. 'It is well,' he said, 'they shall be *de ira eruti*, snatched from the wrath and brought to the mercy of Christ.' He was next told that the name of their king was Ælla. 'That,' he said, 'is Alleluiah, and it is right that the praise of God should be sung in that land.' Full of projects of conversion, Gregory hastened to the Pope, and begged to be employed on this distant mission: but the citizens, with whom he was extremely popular, were unwilling to allow of his absence. Nothing further therefore, was done towards the conversion of the Anglo-Saxons, until, in 590, Gregory himself was elected to the Papal See. The Anglian children were then remembered, and Gregory despatched missionaries under the guidance of St. Augustine, to visit the distant island."

† On the treaty for the marriage between Edwin, our then Saxon King, and Ethelberga (who was a Christian) it was stipulated that she should not only be allowed to follow her own religion, but that she should have Paulinus (one of St. Augustine's missionaries) as her chaplain. Thus it was that Paulinus was introduced into this district.

to another. King Edwin had one, at least, of such halls, or hunting seats, in each of the three ridings of Yorkshire, as well as some others further north. One of them is said to have been at, or near Tanfield,* where he spent much of his time. Paulinus, as domestic chaplain to the court, necessarily removed from place to place with the court, and accordingly embraced those opportunities of doing good, by preaching to, and baptizing the people wherever he went. It is recorded of his doings, that at a place in Northumberland, the number of people which flocked to him was so great, that for thirty-six days he was engaged from morning until evening in giving them daily instruction. His plan seems to have been, *not* to baptize them indiscriminately, but to defer their baptism until the converts could answer the catechism which he himself taught them, when he baptized them in the little river Glen (in Northumberland) and the clear waters of the Swale, at Catterick, and also (as the Venerable Bede says) at Brafferton. In an epistle of Pope Gregory to St. Eulogius, Patriarch of Alexandria, on the subject of the conversion of the Britains (which seems at the time to have attracted considerable attention) is an account of Paulinus having, on a Christmas-day, baptized in the English river Swale, above ten thousand men, besides an innumerable multitude of women and children. The truth of such account cannot be doubted, as it is confirmed by the historian, the Venerable Bede, who flourished very shortly afterwards, and lived in the immediate neighbourhood of the place. The occurrence gave occasion to the river Swale being afterwards designated, as well it might, "the Jordan" of England, and to its being very much venerated by our Saxon forefathers. In connection with this subject, it may not be

* Mr. Gideon Barker, in his "Three Days of Wensleydale," p. 12, says "the King resided much at his Palace near Tanfield," but cites no authority for such statement. The Rev. James Raine, M.A., in his "Fasti Eboracenses," vol. 1, p. 43, appears also to have been of this opinion, as well as Mr. Hodgson Hinde, in his "History of Northumberland."

amiss, in passing, to draw attention to the fact, that the baptism I have been speaking of, was a public one, and that these new converts were not ashamed thus publicly, and in the presence of thousands, to acknowledge their former errors, to disclaim and renounce their idols, and to take upon themselves the yoke of Christ, and further that it was by total immersion (as was the practice of the early churches) in an open river, and on a cold Christmas-day—a rather severe test, it must be admitted, of their sincerity, and of the faith which was in them. Their subsequent history, too, shews that they became really good Christians, for it is recorded of them, that they no sooner received the truths of Christianity, than they, with a most fervent zeal, gave themselves up to it, by discharging all the duties of Christian piety, and amongst these I may include what was then considered as of the highest importance—as most needed—the building of churches in the places of their heathen temples.

They listen'd : for unto their ear
 The word, which they had long'd to hear,
 Had come at last—the life-giving word,
 Which they had often almost heard
 In some deep silence of the breast :
 For with a sense of dim unrest
 That word unborn had often wrought
 And struggled in the womb of thought :
 And lo ! *it now was born indeed—*
Here was the answer to their need.

R. C. TRENCH.

Although it is not actually recorded in history, that Paulinus did preach here, at Masham, or baptize, in the river Yore, as he had thus done on the banks of the neighbouring river Swale, it is hardly too much to suppose that he did not do so (and especially so, if one of his residences was at or near Tanfield, as before mentioned) since it is said that he did preach and baptize at *other* places besides the Swale. It will be seen that Mr. Raine is of opinion that Paulinus did baptize at Tanfield upon the Yore. But even supposing that Pau-

linus did not personally visit Masham, may I not with justice ask, that if he did not come to them, did not the people of Mashamshire go to him, and hear his preaching, on the banks of the Swale or at Tanfield; and did not they form part, at least, of that goodly throng of ten thousand men, besides the innumerable multitude of women and children, I have before alluded to? Surely we will not so libel our forefathers as to say that they did not—nay, surely, God's goodness, which has no bounds, was not thus confined to the banks of the Swale, but extended its beneficent influence to our native hills, by disposing the hearts of the people, not only to listen to, but embrace with gladness, the Word thus preached unto them. Great and mighty, indeed, was the work thus effected through the happy instrumentality of Paulinus, and of James,* his deacon, whom he left behind him to preach and baptize in this district; and its influence extended itself far and wide, and produced a mighty change for the better in the manners and feelings of the people of the whole district.

“As were the Britons famous for their zeal
To gentile gods, while such they did adore,
So when the heavens to earth did truth reveal,
Blest was that land with truth and learning's store.”

I would not, however, have it supposed for one moment, because I have thus spoken of the good effects of the teaching of Paulinus in this immediate neighbourhood, that I would wish by any means to ignore, on the

* James the Deacon, whom Paulinus left behind him when he fled with Ethelburga, the widowed queen of Edwin, after the latter had been slain at Hatfield, by the Pagan Penda, A.D. 633, resided at Aikber near Fingall, where, it is said, he was very diligent in teaching and baptizing the people, but was more especially famous for his great skill in singing, and his fondness for the Gregorian tones, which he taught as well as chanted. He is supposed to be buried in the churchyard at Hawxwell, and to be commemorated by an ancient cross.—See 1 Raine's "Fasti Eboracenses," p. 44, and notes. Mr. Barker, in his "Three Days of Wensleydale," p. 13, says that James the Deacon died at a very advanced age.

one hand, the previous existence at the time I have been speaking of, of an early British Church; or to make light of its services, in bringing about the happy change I have been speaking of: or, on the other hand, would I wish to magnify the importance of the ancient British Church, to the disparagement of the Roman Church (as some of our modern Church historians would have us to do). Nay, rather would I say, that both of them were the happy instruments, in God's hands, in bringing about so good glorious a work. We have, indeed, much reason to know, and to rejoice, that such a Church as the early British Church still existed in this country, at the time of the mission to it of St. Augustine, and his fellow-labourers in the good work—notwithstanding the great persecutions which it had had continually to undergo, from the Pagan rulers of this country, previous to the conversion of King Edwin by Paulinus.* Such, indeed, had been its persecutions, that its bishops and clergy, and many of its most conspicuous members, had, like the Apostles themselves, from time to time, to flee for their

* See *ante*, p. 311 in notes. In addition to that which will be there found on this head, I may add the following quotations from Mr. Raine's "*Fasti Eboracenses*":—"It seems evident that there was in the British Church an Eastern as well as a Western element; indeed, it is quite possible that Judaic traditions had been brought to England *before* the birth of the Redeemer. The Eastern origin of the inhabitants of these islands, the frequent visits which they received from Asiatic merchants, could not fail to make the Britons more or less acquainted, at a very early period, with the truths of Christianity, and there are traditions which such a supposition can alone explain."—See vol. 1, p. i. "It is evident that Christianity obtained a sure footing in this country whilst it was in the possession of the Romans."—*Ibid*, p. 6. "We find that three British bishops, including one from the city of York, were present at the Council of Arles, A.D. 314. The same Episcopate was also represented at the Councils of Nicaea, Sardica, and Arminium; and from the accounts that are preserved of the deliberations at these sacred meetings, we may gather that the British bishops were thoroughly catholic and orthodox. They were not afraid, also, of standing up for the faith when it was imperilled by the machinations of heretics. Against the Arians they took so decided a part, that they are mentioned with honour by Athanasius."—*Ibid*, p. 8.

lives, and to seek refuge for a season in the mountains of Wales, and in Scotland, again to come forward when the persecutions subsided, or slackened, with hearts burning all the more, through their persecutions, with pious zeal, to revive and reinvigorate their dying Churches. Thus it was that the early British Churches had been kept alive within these Isles, through those dark and idolatrous ages of our history. It had, indeed, assumed such a degree of importance at the time of St. Augustine's mission to Britain, that the latter deemed them a sufficiently important body to induce him to endeavour to gain them over to his own (the Roman) Church, and with that view sought for, and obtained, a solemn conference with the bishops, and most eminent of the clergy, of the early British Church. The conference, however, came to nothing, they having disagreed as to the time of holding Easter,* and as to the mode of administering Baptism, the practice of the two Churches differing on these points, the British Church keeping Easter day on a Sunday, between the 14th and 20th of the paschal moon inclusive, whereas the Roman Church kept it on the Sunday which fell between the 15th and 21st.

It matters not, however, by whom, or through whose instrumentality, the great work was effected, for the doctrines and observances of the two churches were at that time almost identical, and the teachings of both tended to the same end. The effect was, as I have already stated, to produce in the minds of the new converts an ardent zeal for the building of churches—a feel-

* It was a great misfortune that they thus disagreed upon these trifling matters, and especially so with reference to the time of holding Easter, about which both parties were wrong. Dr. Hook says in his "Church Dictionary," that "Easter-Sunday is not strictly the anniversary day of our Saviour's resurrection, but is the day appointed by the Church to be kept in remembrance of that event." Had they come to an agreement at that Conference much bloodshed would have been spared. I here allude to the slaughter of twelve hundred and fifty of the British Clergy of Bangor, on account of their religion—which took place soon after the conclusion of this Conference.

ing which was very properly encouraged by the teachings of the church. The consequence of this was that great numbers of parish churches were then built in this neighbourhood—some of them as early as the time of Paulinus himself—and others shortly afterwards.* As a proof of the spirit which had thus been evoked in this district, for the building of churches, I may refer to the speech of St. Wilfrid (who was consecrated Archbishop of York, A.D. 669) which was delivered by him on the feast of the dedication of the church at Ripon, which was built by Wilfrid shortly after this time. In his address to the princes and people, assembled on that memorable occasion, and which lasted for several days, he especially refers to the church building which was then going on around them.†

* Mr. Raine in his "Fasti Eboracenses," vol. 1, p. 26, says, "It is difficult to say at what time the earliest Churches in the North of England were erected. Wilfrid, in his oration at the dedication of Ripon Minster, speaks of the holy places which the British Christians had deserted, and that he had succeeded in his attempts to recover some of them seems to be partly evident from the fact, that under the walls of one or two Saxon Churches in the North-Riding of Yorkshire, human remains, belonging to a very early period have been disinterred." I may here add that similar human remains were lately found interred beneath the walls of Masham Church, when the workmen were engaged in digging under the Vestry for the purpose of introducing the hot-water apparatus for warming the Church. This circumstance alone is *some* evidence at least, of its Saxon origin.

The learned antiquary, Dr. Stukeley, in a paper read before the members of the Antiquarian Society on the 30th of October, 1755, says, "Paulinus built many Churches in Yorkshire—some I have seen, and taken drawings of them, particularly that at Goodmanham, where is the original Font in which he baptized the heathen high-priest, Coifi. He built Northallerton Church, now remaining. His effigy is placed on the outside of it."—Archæologia I., 44.

Mr. Barker, also, in his "Three Days of Wensleydale," in speaking of the church at Thornton-Steward says, "The Church, one of the oldest in Wensleydale, stands half-a-mile west of the village. Although *this* Church is not (as Dr. Whitaker supposed) Saxon, there is every reason to believe that one has occupied its site ever since the days of St. Paulinus."

† Oswald, too, is said to have filled the kingdom with the Monasteries and Churches. Parish Churches had, indeed, become so numerous early in the ninth century, as to call forth a particular Canon to be enacted at the

The conclusion to which these circumstances leads us is, that our church is one of the many churches which sprung up in this district in consequence of the preaching of Paulinus in this neighbourhood, and in, or soon after, his day.

Masham church was no doubt built, and endowed (as was the custom in those days) by, and at the expense of, the great Thane, or Lord of the place, for the use of himself, retainers, vassals, and tenants, he retaining to himself the patronage of the church. We are not, however, made acquainted with the name of the great Thane,* or lord, to whom we are indebted for our church, and its very ample endowment.

The first Lord of Mashamshire whom we find dealing with the patronage of Masham church was Nigel de Albini (the father of Roger de Mowbray), who as such was patron of the living, A.D. 1135, and presented his kinsman Samson de Albini† to the church of Masham, along with the church at Kirkby Malzeard, and other churches in his gift.

Council of Celichyth, in the year 816, for the regulation of their consecration; and we find that in the time of Edward the Confessor, it was made a matter of complaint on the part of the clergy of the old churches, that, "now there be three or four churches, where in former times there was but one, and so the tithes and profits of the priests [of the old churches of course] are much diminished."—See Ken. Par. Ant., 586—587. Not only did Parish churches spring up thus early in this district, but Monasteries as well. The first monastery known to have been erected in Yorkshire, was that of Lastingham, near Kirkby-Moorside, A.D. 648. The second was founded at Tadcaster, Newton Kyme, or Aberford, in 655. The third was at Whitby, in 657. The fourth was at Gilling near Richmond, founded before 659; and the fifth was founded at Ripon in 661—besides five others which were established in this County before the Conquest.

* It was one of the qualifications of a Thane that he should have five hides of his own land, and *a church*.

† Samson de Albini appears to have been living, and to have held the Rectory of Masham, in the year 1145, when Roger de Mowbray founded the Priory of Newburgh, as his name is attached as a witness to Roger de Mowbray's Charter of Foundation of that Priory, as "*Samson, Clark of Massam.*"

Roger de Mowbray (the son of Nigel de Albini) having succeeded his father in the lordship of Mashamshire, and as such in the patronage of the church, and having A.D. 1145, founded a Priory of Black Canons at Newburgh, he very soon afterwards granted the churches of Masham, and Kirkby Malzeard, in free alms to the canons of Newburgh for ever, as will be seen on referring to a copy of this grant which will be found in the Appendix C hereto. And by another charter (an extract from which will also be found in Appendix C hereto) Samson de Albini (before alluded to, as the person to whom Nigel de Albini had, in his time, granted the churches) released to the abbey at Newburgh, all his interest in the church at Masham, and the other churches, stipulating, however, that while he (Samson de Albini) remained a secular ecclesiastic, he should retain full possession thereof, and that upon his assumption of monastic vows, or his decease, his son Roger should hold the same churches, he, the son, being supported during his minority out of the profits of the church of Masham.

It appears by these two charters, and by other documents relating to the church, that Roger de Mowbray was at this time very anxious to endow his newly founded Priory of Newburgh, with these churches, but the subsequent history of the rectory of Masham shews that such intention was never effectually carried out. This was a subject which puzzled the learned Dr. Whitaker when writing his "History of Richmondshire." I hope, however, by the aid of information which was not known to Dr. Whitaker, to clear up the mystery, and to be able to shew how it happened that these churches did not continue to be the property of the canons of Newburgh, as intended by Roger de Mowbray, their founder and patron.

It has already been shewn, that Nigel de Albini, the father of Roger de Mowbray, had already conferred this church, with six others, on Samson de Albini, and further, that by the Charter of Confirmation by Samson de

Albini, of Roger de Mowbray's grant of this church to the abbey, the prior, and monks of the abbey, were to derive no benefit or advantage whatever from the donation, during the life-time of Samson de Albini, or even during the life-time of Samson de Albini's son Roger.

It appears too that the abbey was of the Order of Black Canons, and not being founded until after the rule of St. Austin was promulgated, the prior and canons were prevented from taking the cure of souls in the parish; it would seem, therefore, that the diocesan had interfered, as he had power to do (his consent being necessary to the confirmation of the grant) in order to secure religious ordinances to the parishioners of Masham, when the church should become vacant by the death of Samson de Albini, or of Roger his son, for it should be remembered that appropriations to religious houses were then far from being encouraged by the bishops. Thus, from the necessity existing of filling the church whenever the vacancy should occur—the incapacity of the prior and canons to undertake the charge and cure of the parish—coupled with their remote interest in the profits of the benefice, it is evident that the archbishop of York had refused to give his assent to the grant, without which assent the grant would be inoperative. This indeed sufficiently appears by the very terms of the grant itself, which it will be seen prays the archbishop's assent to that his gift by the authority of his, the archbishop's, writing, and by the absence of such consent to the grant.

The grant of the Church to the Priory of Newborough having thus failed to take effect, we next find that Roger de Mowbray, by another charter, without date, but made during the occupation of the archiepiscopal see of York by Roger de Bishopsbridge (who held it between the years 1154 and 1181) granted "to God and St. Peter of York, and to the Archbishop Roger, and his successors for ever, the Church of Masham, &c., in pure and perpetual alms, so that it may be henceforth a Prebend in the Church of St. Peter of York, my sons Nigel my heir,

and Robert, consenting." And it further appears, by the following extract from the record known as the "Greate White Peignter," fo. 346, that Roger, the archbishop, confirmed to the Church of St. Peter at York, the Church of Masham, Kirkby Malzeard, &c., and thus Masham became a Prebend of the Cathedral Church of York, and the richest stall in that Cathedral, as we shall see presently.

Very soon after the establishment of this Prebend, we find that William Fitz-Richard, Canon of York, granted to the Prebend of Masham certain land, on condition that the Prebendary should sing mass for the soul of King Richard I., of good memory.

The next reference to the Church of Masham we find in the Taxation of Pope Nicholas, taken A.D. 1291, in which the Prebend of Masham is rated as worth £166 13s. 4d. (which was a very large sum of money indeed at that day, especially when we consider that £8 a-year was then considered an ample stipend for a parish priest). It was also rated at the same sum, in 1340, and continued to be so rated down to the time of the dissolution of the Prebend on the eve of the Reformation.

Dr. Whitaker, in his "History of Richmondshire," thus speaks of the Prebend of Masham:—"Masham was the Golden Prebend in the Cathedral of York, being valued, in 1534, at £136 per annum, and as the corps of that Prebend consisted, as appears, solely of the Rectory Manor of this parish, it follows that *the valuation was higher than that of any other benefice in the kingdom.*" This circumstance, as in many other instances, led to its fall, the Prebend of Masham having been dissolved, and converted into a lay-fee, by Archbishop Holgate. It also accounts for another fact, which is the high rank and celebrity of many who held this Prebend."

This description of the Prebend of Masham, by Dr. Whitaker, is not by any means overcoloured, for other authors besides him describe it as having been the richest and best endowed Prebend in the whole Church:

and further, it would seem, on a perusal of the following table, or list, of persons who have held this Prebend, that it was sufficiently wealthy and important to have attracted the attention of the Pope of Rome to it, and to be worthy of the acceptance of the highest dignitaries of the Church, not even excepting the Pope's own near relatives and the Cardinals of the see of Rome, two of such Cardinals having not thought it beneath their dignity, and high station, to accept it and its revenues.

The following is a list of the several persons who have occupied the prebendal stall of Masham in the Cathedral Church of York, from the time of this church being first made prebendal (about 1158) down to the time of its dissolution by King Henry VIII., A. D. 1546; with foot notes thereto, containing notices of the several persons mentioned in the list.

A List of the several Prebendaries of the Prebendal Church of Masham from the time of its being first made prebendal (about 1158) down to the time of its dissolution by King Henry VIII., 1546.

About A.D. 1158. Roger de Albini.*

Roger or Bogo de Clare.†

* Roger de Albini was the first Prebendary, after the church was made prebendal, as mentioned in the text. He was the son of Samson de Albini, before alluded to, and nephew of Roger de Mowbray. He must have been very young when he was made a Prebendary, or Canon of the Church, as it will be remembered that he is stated in one of the charters already mentioned, to have been then a minor, and that his father, with true paternal solicitude, therein stipulates, that a provision should be made for him out of the Rectory of Masham during his minority. I would here observe, that he is neither the first nor the last stripling who has been thus provided for by Mother Church. He held the Prebend for a very long time, and was succeeded by Roger, or Bogo de Clare, some time before the 9th of April, 1278, but how long before I have not been able to ascertain.

† Roger de Clare, or Bogo de Clare, the next Prebendary of Masham Church, was a son of the great Earl of Gloucester, and was famous as being a great pluralist in the Church. He was Rector of St. Peter's in the East, in Oxford, and in the 8th Edw. I., 1279, was presented by his father (the Earl of Gloucester) to the Church of Wyton, in Nottinghamshire, when he

11th June, 1295. { Robert de Lacy, clerk.*
 { Theobald Cormand, a kinsman of the
 Earl of Barr.
 { Boniface de Salucis.

obtained a dispensation from the Pope of Rome to hold it, together with one church in Ireland, and *fourteen* other churches in England, in nine different dioceses. The Rev. James Raine, M.A., in his "Fasti Eboracenses," vol. 1, p. 305, says of him—"The history of this man is a most remarkable one. His noble blood, perhaps, made him spurn authority, and he paid no attention whatever to decency and discipline. At one and the same time he held as many as eighteen livings, in addition to the Treasurership at York, and the deanery of Stafford. On one occasion, when a royal official served a writ at his house in London, Bogo's servants compelled the unhappy man to eat up the document, seals and all! Of course his parishes were grievously neglected, for Clare merely valued the income which they produced. The Treasury at York was in such a state during his rule, that it was reported against him that the vestments and ornaments of the church were often used by women in childbed. In the church of Simonburn, in Northumberland, whilst he was rector, the chronicler of Lanercost observed in the place of the carving which ought to have been behind the altar some wicker work taken evidently from a stable, and still smeared with the dung of oxen."—This Roger de Clare was not only a very powerful man, but a very troublesome fellow. It is but right, however, to add, that in return for these good things, he gave much to religious houses, several of which he founded. It will be seen that he held the Prebend on the 9th April, 1278, when Masham Vicarage was ordained.

* In the year 1295, it appears that this Prebend was vacant, which having attracted the attention of Pope Boniface VIII., he by his Papal Bull, formed out of it three Prebends, each to be worth fifty marks per annum sterling, and assigned the remainder of the revenues of the Prebend to the common use of the Dean and Chapter of York. He assigned these three newly-formed Prebends to the three persons mentioned in the text. In obedience to this Bull, John le Romaine, the then Archbishop of York, on the 11th June, 1295, issued his mandate from his Castle at Cawood, to the following effect:—

"I, by the permission of God, &c., to our Deane and Chapter of Yorke, greeting, grace and benediction. Because out of the Prebend of Masham, in our Church of Yorke, being voyd, we have constituted and ordayned, by Apostolical Bull, three Prebends, fully equal in value, that is to say, each of them may be worth yearly fifty marks, wholly assigning the remainder of the profits of the same Prebend of Masham, while it was entire, to your common use, as it will more fully appear by our ordinance, and we have given in charity, the first of the said equal Prebends to Master de Lacy, our clerk; tthe second to Theobald Cormand, the clerk of the nobleman Earle of

A.D. 1309. John de Grandison.*

Bar; and the third to Boniface de Salucis, clerk. We command ye that, admitting the said Robert, Theobald, and Boniface, to be brothers, fratres, and canons, ye duly assign unto them, or their representatives, in their name, by reason of these Prebends, their stalls in the Quire, and their places in the Chapter, further executing in their persons, after the accustomed manner, what to ye belongeth. Dated at Cawood, 11 Kalendar June, 10th year of our reign."

Mr. Raine, in his "*Fasti Eboracenses*," vol. 1, p. 341, in his Life of this Archbishop, says, in reference to this transaction, that, "he contemplated also the division of the stall of Masham into three, and that of Langtoft into two. The arrangements for the last step seem to have been nearly completed, and canons were actually appointed; but the proposed scheme, after all, seems to have fallen through, and it was never attempted afterwards. The King put his veto upon the project, and the life of Romanus was too short, and his influence at Court too small, to enable him to obtain the consent of the sovereign."—See "*Reg. Romanus*," Prynné iij, 783; *Act. Capit. Ebor.* 15.

All the three canons here named were of noble families, and persons of great influence in their day. Robert de Lacy was of the family of the De Lacies, Earls of Lincoln; Theobald Cormond was of the family of the Compté de Barr; and Boniface de Salucis was an ecclesiastic of such high position and influence, that his diocesans had great difficulty in restraining him, and keeping him in due subjection.

I may here mention that the names of these three last-mentioned Prebendaries are all omitted in Torr's, as well as in all other lists of the Prebendaries of York. This may probably be accounted for, for the reasons mentioned by Mr. Raine before alluded to.

* John de Grandison, who came in as Prebendary in 1309, was born at Ashperton, in Hertfordshire, and is said to have been descended from the noble house of the Grandisons, Dukes of Burgundy, his father being William, brother to Otto, or Otho de Grandison, the great Lord Grandison who accompanied Prince Edward to the Holy Land, and was afterwards Governor of the Islands of Guernsey and Jersey, and Secretary to King Edward I., by whom he was sent on an embassy to Rome. John de Grandison is described as having been a very studious and learned man, and to have been in high favour with Pope John, being one of his Privy Council, and a legate or nuncio to several states on matters of great importance. In 1345, he was sent by the King on an embassy to Rome. He was appointed Archdeacon of Nottingham, and was afterwards (1327) advanced to the Bishopric of Exeter, which see, it is said, he held for near forty-two years. He died on the 15th July, 1369, and was buried at Exeter. It is supposed that he resigned the Prebend of Masham in 1316.

About A.D. 1316. William de Ayremin.*

About „ 1340. John de Ufford.†

„ 1348. Reginald Brian.‡

„ 1350. Andrew de Offord.§

„ 1363. Cardinal Andoin Aubert, or Albert.||

* William Ayreman was descended from an ancient family in Lincolnshire. He was one of the surpliced ecclesiastics who fought at the battle of Myton-upon-Swale, on the 12th October, 1319, when he was taken prisoner by the Scots. He was made Bishop of Norwich by the authority of the Pope, and was consecrated 13th September, 1325. He was made by the King Lord Chancellor of England. He died on the 27th March, 1337, and was buried at Norwich.

It appears that the churchyard at Masham had at this time been desecrated, most probably by the spilling of blood in it, for I find that on the 12th April, 1318, a commission was granted by Archbishop Melton to one of the suffragan Bishops, authorizing him to reconcile the churchyard of Masham.

† John de Ufford was the son of Baron Robert de Ufford, and brother to Robert de Ufford, who was created Earl of Suffolk, and achieved the highest military renown by his skill as a leader at the celebrated Battle of Poitiers. John de Ufford was promoted to the Deanery of Lincoln and the Chancellorship of England, and upon the King's request he was made by the Pope Archbishop of Canterbury in 1348. He was, however, never consecrated, having died of the great plague at Tottenhall on the 7th June, 1348.

‡ Reginald Brian was the first Bishop of St. David's, and from thence was translated to the see of Worcester in 1352; and in 1361 was nominated by the Pope to the see of Ely, but died of the plague at Alnchurch on the 10th December, 1361, before his translation thither.

§ Andrew de Offord was Archdeacon of Middlesex, and died in 1358. On the 28th January in that year his goods were sequestered for a cap and palfrey which were due on his death to the cathedral at York. After his death the prebend of Masham remained vacant for a short time, when it was seized upon and filled by Pope Urban V., by the appointment by him of the two Cardinals mentioned in the two following notes.

|| Cardinal Andoin Aubert, or Albert, was presented to the prebend of Masham by the Pope. He was a nephew of Pope Innocent VI., and was a man of great learning, especially in civil and canonical jurisprudence, in polite literature, and in Church history. He was raised in 1349 to the Episcopal see of the church of Paris; in 1350, to that of Auxerre; and in 1352, to that of Maguelone. His uncle Pope Innocent VI. made him Cardinal Priest (by the title of St. John and St. Paul) on the 15th February, 1353. He died on the 9th May, 1363, and left all his wealth to a college in the University of Toulouse, which he had founded in his life-time, and where a number of young people were to be supported during the time of their study in humanity, philosophy, and the liberal arts.

- A.D. 1363. Cardinal William de Aigrefeuille.*
 „ 1370. Robert de Stratton.†
 „ 1381. John Mowbray.
 „ 1385. William de Norton.
 „ 1387. John Stacy.‡

* Cardinal William de Aigrefeuille was a near relative of Pope Clement VI. He took the habit of a Friar among the Benedictines of the congregation of Clugny, and was Prior of St. Peter, of Abbeville. His relative Clement VI., having been raised to the Pontificate, he gave him the Archbishopric of Saragossa, in the kingdom of Arrogan; and afterwards, in the year 1350, made him Cardinal, and employed him in several matters. And Pope Urban V., whom he followed to Rome, dispatched him legate to Naples. He died at Viterbo on the 11th October, 1369.

In “An Inventory of all the jewels, vases of gold and silver, and other ornaments, vestments, and books, pertaining to the cathedral church of York, in the custody of the under-treasurer of the same church, in jewels and other things, as appears below, together with the money in the chest of St. Peter, is the following:—Chalices, xxxx. One chalice, silver and gilt, with a paten of the gift of the Lord Cardinal of Palestrina, formerly Prebendary of Masham, weighing 2lbs. 5½oz., with arms at the foot and three scalops, [shells] and a lion.” From this it would seem that another Cardinal had held the Prebend of Masham besides the two before-named, but of whom I have no account, and have therefore not inserted his name in the list of prebendaries. Palestrina is the modern name for Proeneste, one of the most ancient Greek cities in Italy, and is now a town in the Papal States, about twenty-three miles distant from Rome.

† Robert de Stratton was admitted to the Prebend of Masham in 1370, but his admission to it does not appear to have been registered till between the 8th and 19th March, 1374. According to Torre he was presented to this Prebend by the Pope, but this I think doubtful. It is said in Add. MSS., 21,089, fo. 89 (British Museum) that he was “A Canon of Lichfield and Chaplaine to the Blacke Prince, utterly unworthy of so high preferment, being an illiterate fellow. He was twice rejected, both by the Pope and the Archbishop of Canterbury, for insufficiency, yet at the said Prince’s earnest suite for him, two other Bishops were appointed to examine him, who approved and permitted him consecration,” [as Bishop of Coventry and Lichfield, on the 26th September, 1360]. After holding the see of Coventry and Lichfield for twenty-five years he died at his Manor-house at Heywood, on the 28th March, 1385.

‡ John Stacey was Prebendary of Banbury, in the cathedral church of Lincoln. He died in 1394. When the learned antiquary Dodsworth visited Masham church on the 19th October, 1622, there was the following Inscription on the east window, “Pray for Sir John Stacey, Prebendary of the Prebend of Masham.”—Dodsworth’s MSS. in Bod. Lib., No. 5,101, vol. 160.

- A.D. 1395. John Roos.
 „ 1396. John Bere.
 „ 1402. Thomas More.*
 „ 1421. William Kinwoldmersh.
 „ 1426. Henry Bowett.†
 „ 1447. George Neville.‡
 „ 1456. Roger Radclif.§
 „ 1471. John Shirwood.||

* Thomas More was Dean of St. Paul's, London, into which he was admitted in 1406. He died in 1421, and was buried in St. Paul's cathedral.

† Henry Bowett was Archdeacon of Richmond, to which he was collated on the 6th Sept., 1418, on the death of Stephen le Scrope the then Archdeacon.

‡ George Neville was only some seven or eight years old when he was collated into the prebend of Masham. When, however, it is considered that he was brother to Richard, Earl of Warwick, the "King-maker," we cease to be surprised, for if his brother could make and unmake kings, as it is said he could, and did, it was not unlikely that he could also make a good canon out of a boy of seven or eight years old. He was also first cousin to King Edward IV. But George Neville did not stop here, for on the 25th November, 1455, he was made Bishop of Exeter, when, as Bishop Godwin says, he was not fully twenty years of age; in 1460 he was created Lord Chancellor of England; and in 1465 he was made Archbishop of York. On the death of his brother, the Earl of Warwick, at the battle of Barnet, 14th April, 1471, he was accused of Treason, imprisoned for four years, and died of a broken heart, soon after his liberation, on the 8th June, 1476, and was buried in York Minster. He had, however, ceased to hold the Prebend of Masham from the time of his becoming Bishop of Exeter, in 1455.

§ Roger Radcliff was Dean of St. Paul's, London, into which he was collated in 1468. He died in 1471. It appears by the Fabric Rolls of York Minster, dated 1473, that a mortuary of 16s. 8d. was paid at his death to that Cathedral, as the price of a horse to which the Cathedral became entitled at his death.

|| John Shirwood, D.D., was, according to Add. MSS. 21089, fo. 258 (British Museum), "A Carthusian Friar—was a good poet, an exact Grecian, and an excellent divine. Before he was Bp. of Durham he had been the King's Solicitor in the Court of Rome, whence he brought many rare Greek authors with him at his return." He was collated Archdeacon of Richmond 14th July, 1465, and was elected Bishop of Durham January, 1484-5. Mr. Longstaffe, in his "History of Darlington," p. 91, says of him, "He walked on one hand of Richard [King Richard III.] at his Coronation, forgetful of many favours conferred by the late monarch, and for some reason had not the temporalities restored till within sixteen days of that bloody battle in which the crown was torn from the house of Plantagenet and placed on the brow of Tudor." He died on the 12th January, 1493.

- A.D. 1484. John Blythe.*
 „ 1493. Henry Carnebull.
 „ 1508. Richard Dudley.†
 „ 1536. Thomas Bedill.‡
 „ 1537. William de Willyford.§
 „ 1537. Robert Peterson.||

On the 5th of March, 1546, Archbishop Holgate, by licence from King Henry VIII., granted the Prebend of Masham to Chancellor Wriothesley, and his heirs, whereby it became a lay-fee, and so it was dissolved, after having existed some four hundred years, and had been filled by the highest dignitaries of the church.

* John Blythe, LL.D., was descended from William Blythe, of Leeds (who was his grandfather), his father being William Blythe, of Norton, in Derbyshire. He was brother to Jeoffrey Blythe, Lord Bishop of Coventry and Lichfield, and nephew of Thomas Rotherham, Archbishop of York. He was installed Archdeacon of Huntingdon, by proxy, June 13th, 1478; into the Prebend of Masham, 1484; into the Archdeaconry of Richmond, 8th October, 1485; as Master of the Rolls, 1492. He became Bishop of Salisbury on the 23rd February, 1493, and the year after his consecration, viz., 1494 he was Chancellor of the University of Cambridge. He died on the 23rd August, 1499.

† Richard Dudley was Precentor of Salisbury Cathedral, and died in the year 1536.

‡ Thomas Bedill was Archdeacon of Cornwall, and Prebendary of Lincoln. He acted as Clerk of the Council on the consecration of Cranmer as Archbishop of Canterbury, and also on the trial of King Henry VIII.'s Queen Catherine, before Cranmer, at Dunstable, in May, 1533. There is amongst the State Papers a letter addressed by him to Lord Cromwell, giving an account of the proceedings on the Queen's trial, which discloses facts highly disgraceful to both him and Cranmer. He was also afterwards sent along with Fox, the Almoner, by King Henry VIII. to Queen Catherine, to induce her to forbear using the title of Queen, when she refused to comply with their unreasonable request. On the 3rd July, 28 Henry VIII., A.D. 1536, he demised unto John Forswyck, Esq., Treasurer of the first fruits and tenths, for the term of fifty years, the Prebend of Masham, with all the houses, lands, tithes, and obventions to it belonging (except the mansion place within the city of York), for £136 13s. 4d. a year rent. He died in 1537.

§ William de Willyford was a Prebendary in Lincoln Cathedral. He died in 1537.

|| Robert Peterson was the last Prebendary who held the Prebend of Masham. Having resigned it in 1546, it then became dissolved.

King Henry VIII. having thus possessed himself of the revenues attached to this and other prebends, as well as of some other religious establishments which had shared the same fate, he gave the revenues of the prebend of Masham, to the Master, Fellows, and Scholars of Trinity College, Cambridge (which he had shortly before founded) as an endowment. Thus it was that Trinity College, Cambridge, became, as they still continue to be, the owners of the great tithes of the parishes of Masham and Kirkby-Malzeard, and the patrons of those livings.

Notwithstanding that the prebendal church of Masham has been from time to time filled by such high dignitaries of the church, it must not be supposed that the people of Masham fared any the better for it. It is true that for more than one hundred years after the church had been erected into a prebend, the prebendaries had themselves the cure of souls within the parish, and had by themselves personally, or by curates or chaplains appointed by them, to discharge the duties required of them within the parish. Such being the case, whilst the revenues were being withdrawn from the parish for the support of its non-resident prebendaries, the duties of the cure were discharged by stipendiary curates or chaplains, liable at any moment to be dismissed from their cures. To remedy this evil, in the reign of King Stephen, viz: the 5th April, 1278, a vicarage was ordained for the parish, by which it was settled by the Dean and Chapter of York, with the consent of Roger, or Bego de Clere, (the then prebendary of the prebendal church of Masham) that the revenues arising from the prebend should be apportioned between the prebendary and the vicar, as follows: that the vicar and his successors should have for ever the whole altarage* of the church, excepting the

* Altarage properly comprehends not only the offerings made upon the altar, but also the profit which accrues to the priest by reason of the altar, viz: tithes of wool, lambs, colts, calves, pigs, goslings, chickens, butter, cheese, hemp, flax, honey, fruits, herbs, and such other small tithes, with

tithe of hay, wool, and lamb of the parish, and the mortuaries in live cattle, all which, together with the tithe of corn of the parish, and land wherewith the church was endowed, and the capital messuage of Masham, which should remain to the canon or prebendary and his successors; but that all the rest of the altarage and profits of the church the vicar should have, in name of his vicarage, together with the decimal silver oblations,* obventions, and all other tithes whatsoever. And that the vicar should make his personal residence in the said vicarage, and personally serve the same, having under him three priests, at his own cost, and should bear all the burthens incumbent on the same vicarage; and that to the canon, or prebendary, and his successors should always belong the building, covering, and repairs of the chancel. For a full copy of this Ordinance, see Appendix C.

Such were the conditions on which the vicarage was founded. After this time (1278) the sole cure of the parish was confided to the vicar and the three priests appointed by him, the prebendary retaining in right of his prebend, the patronage or right of nominating and presenting a vicar to the vicarage whenever it became vacant.

It appears that very soon after this date the church at Ellington was built, for I find that on the 17th August, 1287, John le Romaine, the then Archbishop of York, granted a commission directed to the Dean of Bulmer to act as his deputy in dedicating the church at Ellington.

offerings which shall be due within the parish. It will be seen, however, that the tithes of hay, wool, and lamb, and mortuaries are here reserved to the Prebendary, who thus gets the lion's share.

* Easter dues or offerings. I may here, however, observe that Easter dues are now no longer payable in Masham parish, they having been commuted when the tithes of the parish were commuted.

A List of the Vicars of Masham, compiled from Torre's MSS., and various other sources.

- 31 Mar., 1346. Sir William Bucktrout, chaplain.* Presented by the Prebend of Masham. Vacated by death.
- 26 Sept., 1349. Sir Alan de Otteringham, Chaplain. Death.
- 12 Jan., 1369. Sir John de Leghton, Chaplain. Death.
- 18 May, 1393. Mr. William Clynt, STP.† Death.
- 22 Mar., 1425. Sir Wm. Yoxhall, Chaplain. Death.
- 25 Mar., 1425. Sir J. Balderby, Chaplain.‡ Exchanged.
- 20 Feb., 1448. Mr. Robert Thwaites, STP. Resigned.
- 30 April, 1457. Mr. Adam Merland.
- 7 Oct., 1461. Sir John Clyfton. Resigned.
- 23 Aug., 1466. Sir John de Montfort.§ Resigned.
- 7 June, 1499. Mr. John Walker, Pbr. Death.
- 23 Dec., 1505. Mr. John Wylde, Pbr. Resigned.

* He is mentioned in the Nonæ Rolls, an extract from which is given in Appendix C. It will be seen that the title of Sir is given to several of these Vicars. Formerly this title was given to Priests. Dr. Johnson thinks it was applied to such as had taken the Degree of A.B. in the Universities.

† He is mentioned in Document No. 11, Appendix C., as having gone to the General Council of Constance, and as having a drunken fighting curate; also in the will of John de Harwood, an advocate in the Court at York, dated 4th August, 1460.—See vol. i. "Testamenta Eboracensia," (Surtees Society) p. 341.

‡ John Balderby, by his will dated the 13th Nov., 1448, and proved 25th Nov., 1448, gave his soul to Almighty God, St. Mary, and All Saints, and his body to be buried in the Church of St. Andrew, of Kirkby-Malzeard. He is mentioned in the will of John Dene, a Canon in Ryton Cathedral, dated the 15th March, 1433, and proved 11th April, 1435.—See vol. ii. "Testamenta Eboracensia," (Surtees Society) p. 44.

§ John de Montfort, by his will dated 24th Nov., 1498, and proved 21st Jan., 1499, commended his soul to Almighty God, St. Mary, and All Saints, and his body to be buried in the Quire of the Church of Kirkby-Malzeard. He was a party to an agreement, in 1484, whereby it was agreed that the Chapel at Middlesmoor should be consecrated, in order that the inhabitants might bury therein, and have baptisms and marriages solemnized there.

- 14 May, 1528. Mr. George Dudley, D.D. Death.
 15 May, 1534. Sir Robert Snape, Pbr. Resigned.
 14 Dec., 1534. Mr. Leonard Horsman, M.A. Death.
 6 May, 1551. Thomas Gyll. Presented by Trinity
 College, Cambridge. Death.
 5 Oct., 1557. Francis Rydall, B.A. Resigned.
 6 Mar., 1570. Anthony Ford.
 8 Feb., 1578. Cornelius Welles, STB.*
 2 May, 1600. Thomas Boulton. Death.
 27 Dec., 1601. Francis Savage, STB.
 16 Nov., 1602. Gilbert Horseman. Resigned.
 17 Oct., 1638. Henry Fearne, STB. Resigned.
 23 Oct., 1639. William Loe, STB. Resigned.
 Benjamin Browne. Ejected, but re-
 stored in 1661. Death.
 12 July, 1649. Christopher Lancaster.
 April, 1652. Anthony Prockter. Intruded.
 31 Aug., 1655. John Newman, minister. Intruded.
 5 April, 1682. Joseph Welde, Cl. Presented by Trin-
 ity College, Cambridge. Cession.
 3 Sept., 1688. Patrick Cooke, M.A.
 1703. Peter Save, B.D. Death.
 1732. Goodrick Ingram. Death.
 Edward Moises. Death.
 1790. Richard Kershaw, B.D. Death.
 1791. William Lawson. Death.
 1833. George Waddington, MA. Resigned.
 9 June, 1841. Thomas Riddell, M.A. Death.
 March, 1856. Thomas Hedley, M.A.

The following is a list of the Curates of Masham, so far as I have been able to ascertain by a reference to the Register Books of the parish and other sources of information, with the dates when they held the curacy.

In 1599, Mr. William Favell, who lived at Swinton, was curate.

* Cornelius Welles was, on the 31st July, 1584, presented in our Ecclesiastical Court here, for not keeping the vicarage house in sufficient repair.

In 1624, Mr. Thomas Hodgson succeeded Mr. Favell. On the 23rd September, 1626, he was presented in the Ecclesiastical Court at Masham for reading of prayers and serving the cure of Masham without a license from the Ordinary, but the case was dismissed. He was also presented in the same court on the 12th April, 1636, for not having the churchyard wall in good repair, also for not having a poor man's box, and for not making the stalls uniform. He was also presented in the same court on the 20th March, 1638, for not having a covering of silk or other convenient stuff for the communion table, and for not having a pot of pewter, or purer metal, for the wine upon the communion table. He was also presented in the same court on the 9th October, 1638, for not making the stalls uniform in the body of the church and those places flagged which were wanting. Death, however, soon after this took him out of the reach of his persecutors. He was buried at Masham 9th April, 1639, being followed, in the same year, by

Mr. Mark Hodgson, who was curate under Dr. Henry Ferne, vicar.

In 1649, Mr. Jonas Brown succeeded Mr. Mark Hodgson as curate. He left Masham for the curacy of Middlesmoor in 1650, but it would seem that he was soon put out by Mr. John Cooper, who was curate there in 1650.

In 1651 Mr. Anthony Prockter was curate under Mr. Christopher Lancaster, who had obtruded himself into the living to the exclusion of the Rev. Benjamin Brown, the rightful vicar.

In April, 1652, "Mr. Christopher Lancaster did leave the vicaridge of Masham and Kirbye, and Mr. Anthonye Prockter had the parish of Masham assigned over to him under hand and seale from Mr. Brown, vicar of Kirbye, with consent of Mr. Matthew Beckwith and those that are of the order of the fower and twentye."—*Parish Register*.

In 1655, "Mr. Prockter did leave Masham and goe to the vicaridge of Well."—*Ibid*.

In 1655, "Mr. John Newman, minister of Masham, he came to live at Masham the last day of August, 1655."—*Ibid.* He seems to have maintained the position into which he had been intruded during the Protectorate until 1661.

In 1679, Mr. Mark Hodgson, curate, was buried at Masham 17th October, 1679. His will which is proved in the Peculiar Court at Masham, is dated the 13th October, 1679.

In 1680, a Mr. William Wainwright seems to have been curate.

In 1693, Mr. Leonard Jenkinson, curate, was buried at Masham the 24th July, 1693, when Mr. Patrick Cooke, the then vicar of Masham, "came in person to serve the cure at Masham."—*Ibid.*

In 1696, Mr. John Horner was curate.

In 1707, Mr. John Reid was curate.

In 1713, Mr. Paul Gelly, curate, was buried at Masham, on the 6th April.

In 1714, Mr. William Wettenhall was curate.

In 1721, Mr. Clement was curate, and was married "to Mrs. Gelly, widow," (most likely the widow of his predecessor) on the 27th of April in this year.

In 1736, Mr. John Dale was curate. He married Mrs. Mary Denison, of Watlass, on the 10th October, 1741, and subsequently became vicar of Kirby-Hill. He was buried at Watlass on the 28th April, 1778.

Mr. Robert Radcliffe was curate in 1753, and many succeeding years. He was the youngest son of Christopher and Alice Radclyffe, of Linton-brigend, in Craven, and is supposed to be descended from, and to have possessed some of the property of Sir George Radcliffe, the celebrated Secretary of the great Earl of Strafford. He married Mary, one of the daughters of Thomas and Dorothy Wrather, of Masham. He went to live at Well, died on the 1st of February, and was buried at Masham on the 18th of February, 1785, in the seventy-third year of his age.

The Rev. Joseph Burrill appears by the Register Book to have been curate in the year 1789. He continued to hold the office of curate for forty-nine years. He then went to reside at Broughton Sulney in Nottinghamshire (of which parish he was rector) where he died on the 1st March, 1853, aged eighty-nine years.

On the 15th January, 1837, the Rev. David Bruce, M.A., was curate, under the Rev. George Waddington, M.A., vicar. He left the curacy in May, 1841, and is now an honorary canon of Durham Cathedral, and perpetual curate of Ferry-hill, Durham.

In 1845, the Rev. William Vaughan Yarworth, M.A., was curate under the Rev. Thomas Riddell, M.A., vicar. He was afterwards curate of Westbury-upon-Trym, Gloucestershire.

In 1847, the Rev. John Abraham Carter M.A. (now John Abraham Carter Swire, incumbent of the parish of Healey) succeeded Mr. Yarworth as curate under the Rev. Thomas Riddell, vicar (whose sister he subsequently married) and continued to hold the curacy until after the death of Mr. Riddell, and the induction of Mr. Hedley into the vicarage.

On the 28th February, 1858, the Rev. Edward Nicholson Stott, M.A. (afterwards Fellow of the University of Durham) became curate under the Rev. Thomas Hedley, M.A., vicar, and remained curate until the 3rd March, 1860. He is now perpetual curate of Middletown, Chirbury, Shropshire.

In 1860, the Rev. George Morton Platt, M.A., became curate under the Rev. Thomas Hedley, M.A., vicar. He left his curacy on the 8th July, 1862, and is now the perpetual curate of Cantley and Dowbiggin, Sedbergh, Kendal.

In 1863, the Rev. ——— Munby became curate under the Rev. Thos. Hedley, M.A., vicar.

It will be seen by the documents set out in the Appendix C hereto, that very soon after the Church of



Masham had been made prebendal, as before described, Geoffrey Plantagenet, the then Archbishop of York, with the consent of the Chapter of York, freed and exempted it from all the customs and claims of his archdeacons and officials, and confirmed it to be *as free for ever as other the Churches of any Prebends in the Church of York*, and that the same Prebend should be thenceforth as free and quit as any the freest Prebend in the Church of York; and also, that William de Sunelli (the then Archdeacon of Richmond) also, in like manner, and with the consent of the Chapter of York, absolved and exempted from all service and claim appertaining to the Archdeaconry of Richmond, those churches that appertained to the Prebend of Masham, which were within the Archdeaconry of Richmond, of the endowment of Roger de Mowbray, that was to say, the churches of Masham and Kirkby, with all their appurtenances; and he confirmed, that the aforesaid churches should remain free and quit from him and his successors, for ever, as well from household visitations as from capitular charges and aids, and synodals, and all other claims, as any the freest Prebend in the Church of York.

The effect of the Prebend of Masham and the churches appertaining to it, being thus exempted, was not only to exempt them from archdeaconal visitation, and all pecuniary payments, and from being subject to be cited before the Archdeacon, as their Ordinary, in the Archdeaconry Court at Richmond, but to confer upon it many very important privileges, namely, *such as appertained to the freest Prebend in the Church of York*. One consequence of this exemption, and the grant of these privileges, was the establishment, at Masham, of the Ecclesiastical Court, known as the "Peculiar Court of the Prebend of Masham," which still exists, although by recent alterations in the law deprived of nearly the whole of its former jurisdiction. Whilst this court was in its full vigour, the Prebendary, or his official, granted probates of the wills of persons dying possessed of *bonâ notabilia* within

the prebendal manor, namely, the parishes of Masham, and Kirkby-Malzeard; also letters of administration to the effects of those dying intestate leaving *bonâ notabilia* within the limits of the court's jurisdiction, as before stated: he also summoned the clergy, resident within such limits, in rural synod: he also summoned the churchwardens to his visitations, which he held annually, admitted them to their office, received their presentments, and took cognizance of all ecclesiastical crimes and misdemeanours: he proceeded in causes, for subtraction of tithe and for the recovery of church-rates: he exercised control over the fabric and furniture of the churches, and the churchyard walls: he appointed a registrar, and an apparitor of his court: he granted licenses to curates, schoolmasters, and parish clerks (but I have not discovered any instance of his granting licenses to midwives,* and practitioners in physic, as is sometimes found to be the case in similar courts, although the right to do so is evidently an usurpation): he granted marriage licenses (and the surrogate of this court continues to do so): he appointed surrogates (and the official still continues to do so), and did many other acts incidental to an ecclesiastical court, and to the office of a judge of an ecclesiastical court, such as adjudicating in testamentary, matrimonial, and other causes of ecclesiastical cognizance, and the granting of faculties, as is evidenced by the Act-books of the court, which are still in existence, and from which I have taken copious extracts, as will appear on referring to Appendix D hereto.

Mr. Lawton, however, in his "*Collectio rerum Ecclesiasticarum*," says that the dean and chapter of York have "what is called *contentious jurisdiction*, or the right

* The following question is among the articles of inquiry issued by Bishop Fleetwood (of St. Asaph) in the year 1710:—"Do any in your parish practice physic or chyrurgery, or undertake the office of midwife without license?" In the oath which was administered previous to being licensed by the Bishop, they were made to swear that "I will not use any kind of sorcery or incantations in the time of travail of any woman."

of deciding causes of Ecclesiastical cognizance over all the places where the dignitaries and prebendaries have the right of holding visitations and granting probates and administrations; and, therefore, when any suit arises respecting any grant which would otherwise have been made by the prebendal, or other peculiar jurisdiction, the probate or administration is, in such cases, granted by the dean and chapter's court; this jurisdiction also extends over *the dissolved prebend of Masham.*" And the same learned author, in his treatise of "*Bona Notabilia*," in speaking of the right of the Peculiar Court of Masham, to grant probates and letters of administration adds, "the jurisdiction is also claimed by the dean and chapter of York." Notwithstanding this, it is quite clear that the Peculiar Court of Masham has, for hundreds of years past, constantly exercised this contentious jurisdiction without, as far as I can see, its power so to do, ever being called in question, by the dean and chapter's court, or by any other authority; and I think it would not be difficult to establish that it had full and ample authority to exercise this contentious jurisdiction. Under existing circumstances, however, and having regard to the recent alterations made in law, such an enquiry would be more curious than profitable.

Dr. Hook, in his "Church Dictionary," has correctly said, that "at the Reformation, by an oversight, the Peculiars were not restored to the jurisdiction of the diocesan, but remained under the king, or under such other person, as by custom, or purchase, obtained the right of superintendence;" so that when King Henry VIII. granted the dissolved prebend of Masham to the Master and Fellows of Trinity College, Cambridge, he granted along with it, as incident to the prebend, the right of holding the Peculiar Court, a right which they availed themselves of, and continue to do so to the present day.

The oversight, alluded to by Dr. Hook, has since been repaired, for by an Order in Council, dated in August,

1846, made in pursuance of an Act of Parliament passed for the purpose, the jurisdiction over these peculiar jurisdictions has been restored to the Ordinary, so that the Archdeacon of Richmond, can and does, now, exercise his jurisdiction and authority over this as well as other Peculiar within his Archdeaconry. The consequence of this is, that the Official of the Peculiar Court of Masham has ceased to hold his annual visitations, as formerly, and the clergy and churchwardens, resident within the local limits of the peculiar jurisdiction, now regularly attend, and answer at the Archdeacon's Visitations, and thus, to that extent at least, acknowledge him as their Ordinary.

The Act to amend the law relating to Probates and Letters of Administration in England, passed in August, 1857, has taken away all the testamentary business of our Peculiar Court; and the Act to amend the law relating to Divorce and Matrimonial Causes in England, passed at the same time, has taken away its jurisdiction in matrimonial causes, if it ever had any. It still, however continues to grant marriage licenses as heretofore, although the marriage licenses granted by the diocesan are also recognized and acted upon by the clergy within the local limits of the peculiar jurisdiction.

Another consequence of the church of Masham being made prebendal, and of its exemption from archdeaconal visitation, as before mentioned, was to place it under the more efficient visitation of the Dean and Chapter of York. That body appears by documents still in existence, to have exercised its visitatorial authority, not only very strictly, but also very fearlessly, not failing to report and correct whatever abuses they found in the church, on the several occasions of their visitation of it, either as to the state of the repair of the fabric, or the conduct of the clergy.

In a report of one of these visitations, made about the year 1414, they report that Master, or Sir William Clynt, the then Vicar of Masham, was at the General Council

of Constance;* that the commissary had inspected the choir and chancel, and that they were found sound and becoming complete; that the windows of the choir were in process of building by the Lord Prebendary [Thomas Moore] at his own proper costs; that Sir John Wath, chaplain [curate] of Masham, both in the church and elsewhere, misconducted himself among the parishioners, and frequently haunted common taverns, and at least for two or three days in the week was intoxicated, and challenged the parishioners to fight with him;† that the parochial chaplains [curates] of Masham refused to perform, or celebrate, the obsequies of deceased infants, and poor persons whomsoever, unless they were first paid by the friends and parents twopence for every night-watch [wakes for the dead],‡ which they had frequently ex-

* The Council of Constance is one of the most noted in the history of the church, and was one of the most numerous councils ever assembled, great numbers having flocked to it from all parts of christendom, and amongst these from this neighbourhood alone, were Sir William Fitz Hugh, the then Lord of Mashamshire, and the Rev. Wm. Clynt, the then vicar of Masham. It was assembled chiefly to put an end to the great schism which then agitated the church, during which John XXIII., Gregory XII., and Benedict XIII., each claimed the rank and office of sovereign pontiff. The council having deposed all three of them, elected Ottone, Cardinal Colonna, as legitimate pope, by the name of Martin V. It was at this council that a canon or decree was passed, asserting the supremacy of a general council over the Pope—the doctrines of John Huss and of Wycliffe, were condemned as heretical—and John Huss himself, together with Jerome of Prague, were condemned to be burnt alive; a sentence which was carried into execution, as to Huss on the 6th July, 1415, and on Jerome, on the 30th May, 1416. This council had promised to occupy itself with a reform of church discipline, (which was then much called for) but it did little in that way, having been abruptly dissolved by the new Pope, Martin V., in April, 1418, after a sitting of four years.

† We must not too hastily conclude from the mention of this disgraceful conduct on the part of one of the curates of Masham, that such was a common occurrence in the church at this period. The very circumstance of its being thus reported for correction shews, that it was, if true, much disapproved of, and condemned, and called for enquiry. We are not to condemn the church, or any church, because one, or even more, of its ministers are guilty of conduct inconsistent with their sacred calling.

‡ Brand, in his "Observations on Popular Antiquities," says, "That

torted; that the chaplains [curates] received at every solemnization of marriage, eightpence placed down upon the book, contrary to their ancient usages, and the parishioners pray for the imposition of silence upon the same chaplains.

In another similar and subsequent report, they state that the chancel was defective in the ceiling; and that the guardian of the jurisdiction (the official of the Peculiar Court) claimed from the executors of those deceased persons who had made wills, one signet ring, when the testator had none, contrary to the ancient custom.

In another similar and subsequent report, they state that the ceiling over the altar was wanting, that the chancel was defective in one beam in the roof, and in glass windows, and that three roods of land appertaining to the church of Masham for the maintenance of one lamp were withheld by Richard Pygott, Serjeant-at-law.*

watching with the corpse was an ancient custom, everywhere practised, numerous passages from Ecclesiastical writers might be cited to prove, could there be any doubt of the antiquity of the custom, which, owing its origin to the tenderest affections of human nature, has perhaps on that account been used from the infancy of time."

The custom of holding these wakes for the dead continued to be observed in this parish, and especially at Ellington and Ellingstring, until within the recollection of the present generation, some of whom can still remember the observance of it, and the evils which resulted from it. The original design of these wakes was, that the persons attending them should join in offering up prayers for the benefit of the soul of the deceased, but their end and aim having been forgotten, they tended to evil rather than good, and it was well that they were discontinued, as they have now been.

* Richard Pygott took the degree of Serjeant-at-law in 1468, and according to an inquisition *post mortem*, taken in the 1st Rich. III., 1483, was found to be possessed at the time of his death, of the manor of Little Burton-upon-Yore, and some messuages, &c. in Masham and Fearby. It will be seen hereafter that in the arms of Wyvill, in Masham Church, the Pigot arms are quartered—Robert Wyvill, of Little-Burton, having married Joan, the daughter and heiress of John Pigot, who was of the Pigots, of Clotherholme, near Ripon. By this marriage the Low-Burton estate was brought to the Wyvills from the Pigots, and was not derived by them from the Scropes, as is generally supposed.

In another similar and subsequent report, they state that the parishioners thought that they had great wrong done them, because that they had wanted or had been without a parish-priest for three quarters of a year. Also that their neighbours thought that they had wrong done them that they might not have the tithe-calves and lambs, but that other men without the parish bought them; also that they thought that they had wrong done them, that if a poor person sold one of the worst calves they took the best to tithe. Also that they desired to know what a servant should pay to tithe for his hire,* for as much as ten shillings was drawn from poor servants that had but a small wage to find them, and that it was sore for them to take so much; that the parsonage and the houses that belonged to it, were allowed to go down, and were unrepaired; also that they complained that there was no ceiling over the high altar; also that they thought that they would have the High-Mass done in the work-day between nine and ten of the clock, and of the holyday begun at ten of the clock.†

And another of such reports contains "An Ordinance for celebrating divine service in the summer and winter time in the church of Masham," made, as is stated, in consequence of a request‡ from the parish, who desired that a

* This was a tithe which was formerly paid, under the name of personal tithe, in pursuance of a constitution of Archbishop Winchelsea, by which labourers and others were to pay as tithe, a tenth part of the profit on their labour, after deducting all reasonable expenses. This species of tithes has not been enforced for a great length of time, and is now obsolete, if not abrogated by the statute 2 and 3 Edwd. VI., cap. 13, sec. 7.

† This desire on the part of the people at this time to have service in the church on week-days, as well as on Sundays, would seem to indicate that they really prized the ministrations of the church, and give us a favourable impression as to the state of religion in the parish at this period, as contrasted with later times.

‡ This is another indication of the state of the religious feeling in the parish at this period. How different to the feeling which afterwards prevailed in this parish, viz., after the Reformation, when the people were not only indifferent to everything which related to the church, but could not be induced even by the aid of the censures of the church, and the most cruel

fixed time should be appointed for celebrating divine service, the parish extending to five miles. It is dated on Saturday, the 13th August, 1519, and appoints "that from the Annunciation of the blessed Virgin Mary, [25th March] unto the Feast of the Nativity of the same [25th December] the first bell shall be rung for matins at six o'clock, and that they commence matins at seven o'clock. And from the Feast of the Nativity [25th December] unto the Feast of the Annunciation of the Blessed Mary, [25th March] the first bell be rung at half an hour before seven, and they ought to commence matins at half an hour before eight. And for celebrating vespers, it is appointed that the first bell be sounded at one o'clock, and that they commence vespers at two o'clock in winter time, and in summer time the last bell be rung at two o'clock aforesaid, and they commence vespers at three o'clock.

Within seven or eight years after the date of this Ordinance, King Henry VIII. having been enamoured with the superior charms of Anne Bullen, became anxious to obtain from the Pope of Rome, a divorce from his lawful wife, Catherine of Arrogan, but not succeeding in thus effecting his object, he in the end, by the aid of Cromwell and Cranmer, shook off the authority of the Pope, and, wicked wretch that he was, assumed to himself, as far as regards this country, the office of Pope, and to be "In England the Supreme Head on earth of the church." This was called the Reformation, but reformation it certainly was not. Had he, however, stopped there, matters would not have been so bad, but his exhausted exchequer and his avaricious disposition, drove him to plunder the church. Not being contented with dissolving the monasteries, and other religious houses, and seizing upon, and appropriating to himself their extensive possessions, he also in like manner seized upon, and appropriated, the possession of this and other Prebends of the church.

enactments, to enter it, and still less to conduct themselves with propriety when brought there by compulsion.

By the dissolution of this Prebend, and the seizure and appropriation, by King Henry VIII. of its possessions, the dean and chapter of York, ceased to have any interest in it, or in the church at Masham, and thus their connection with the place virtually ceased. Masham church still, however, retained its exemption from Arch-deaconal Visitation, and accordingly then became subject only to the visitation of the official of the dissolved prebend, and to that of its diocesan, from the latter of which it had never been exempted.

Whilst the church at Masham retained its connection with the Cathedral church of York, and remained under its fostering care, it received many visits from the capitular body, and great was the state and ceremony observed on these occasions. I can even now picture to myself one of the processions of these dignitaries entering the church, by the beautiful Norman door-way under the massive tower, and proceeding the whole length of the church up to the high altar.

The Reformation, however, proceeded but slowly during the remainder of the reign of Henry VIII. It was enough for him that he had accomplished his object, in obtaining at the hands of Cranmer, what had been denied him by the Pope of Rome, viz: his divorce from his lawful wife, Queen Catherine, by which he had been enabled to marry Anne Bullen, that he had acquired for himself the supremacy of the church, and had been enabled to plunder it of its richest possessions. So time passed on, and he died as he had lived, a Roman Catholic in doctrine and belief, having by his will, left directions for the interment of his body, the celebration of masses and the distribution of alms for the benefit of his soul.*

* For this purpose he left by his will to St. George's chapel, Windsor, £600 a-year for ever, for two priests to say mass at his tomb daily, for four obits yearly, and a sermon at every obit, with £10 to the poor, and for a sermon every Sunday, together with the maintenance of thirteen poor knights.

It was not so, however, during the short reign of his son, and successor, the boy-king, Edward VI. No sooner was the old king dead and buried, and the masses sung for the repose of his soul, than was the young king crowned, the ceremony being concluded "with a solemn high mass sung by Archbishop Cranmer." Then it was that the work of reformation (as it was called) began in earnest. Their first act was to seize upon and confiscate all the lands belonging to the chantries,* free chapels,† colleges, and the guilds or fraternities, together with the revenues given for obits,‡ anniversaries,§ and lights in churches, which had hitherto escaped the rapacity of King Henry VIII.; by which act ninety colleges, one hundred and ten hospitals, and two thousand seven hundred and thirty-four chantries, and free chapels, were destroyed. Their next step was to make great alterations in the offices of the church, and to prohibit the carrying of candles on Candlemas-day, of ashes on Ash-Wednesday, and palms on Palm-Sunday, which although simple matters in themselves, was an attack upon the liberty of the people, and accordingly gave great umbrage to them. A new liturgy was framed, and enacted by Act of Parliament, by which act very heavy penalties were imposed upon such ministers as should refuse to use it, or who

* A Chantry was commonly a little chapel, or particular altar in a church, endowed with lands or revenues for the maintenance of a priest, to pray for the souls of the founder and his friends. For instance, the chapel at Fearby was endowed with an annuity of £5 for praying at Fearby for the souls of James Cooper and his parents for ever, which was payable out of the revenues of Coverham abbey at the time of its dissolution. The North aisles in most of our country churches were used as chantry chapels, in which masses were sung at the altar of some favourite saint, for the souls of the founder and others, whom he might name. They were also used as burial places for the founder and his family.—Gill's "Vallis Eboracensis."

† Free chapels were places of religious worship, exempt from all ordinary jurisdiction, save only that the incumbents were generally instituted by the bishop, and inducted by the archdeacon of the place.

‡ Obits are offices for the dead.

§ Anniversaries were days observed with prayers and alms or other commemoration, on the anniversaries of persons' deaths.

should preach or speak in derogation of it. Sanctuaries*

* Anciently all churches and churchyards were places of sanctuary, although some were endowed with greater privileges than others, or were considered of greater sanctity than others, and their privileges better enforced. If a person accused of any crime, (except treason, wherein the crown, and sacrilege, wherein the church, was too nearly concerned,) had fled to any church or churchyard, and in forty days after went in sackcloth and confessed himself guilty before the coroner, and declared all the particular circumstances of the offence, and took the oath in that case provided, viz: that he adjured the realm, and would depart from thence forthwith at the port that should be assigned him, and would never return without leave from the king; he by this means saved his life, if he observed the conditions of the oath, by going with a cross in his hand, with all convenient speed to the port assigned, and embarking. For if, during this forty days of privilege of sanctuary, or in his road to the sea side, he was apprehended and arraigned in any court for this felony, he might plead the privilege of sanctuary, and had a right to be remanded, if taken out against his will.—See 4 “Black. Comm.,” 332.

The following is the form of the oath required to be taken by persons fleeing to, and claiming sanctuary, as taken from “Rastall’s Collections.”—“This hear thou, Sir Coroner, that I, M, of H, am a robber of sheep, or of any other beast, or a murderer of one or of two, and a felon of our Lord the King of England, and because I have done many such evils or robberies in his land, I do abjure the land of our Lord, Edward, King of England, and I shall haste me towards the port of such a place as thou hast given me: and that I shall not go out of the highway, and if I do, I will that I be taken as a robber, and a felon of our lord, the King; and that at such a place I will diligently seek for passage, and that I will tarry there but one flood and ebb, if I can have passage; and unless I can have it in such a place, I will go every day into the sea, up to my knees, assaying to pass over; and unless I can do this within forty days, I will put myself again into the church as a robber and a felon of our lord the king. So God me help and his holy judgment.”

It will be seen by the following extract from the “Records of the Sanctuaries at Durham and Beverley,” published by the Surtees Society, 1837, that William Smorthit, one of our own parishioners, had occasion to seek the protection of sanctuary:

“Sanctuar Dunelmense, No. 85.—William Smerthwet, of Masham, in Richmondshire, 15th January, 1502, came to the Cathedral church of Durham and sought immunity for that he on an assault being made by certain persons, Edward Yngram, Richard and John Yngram, brothers, and George Horsman, upon him and his father in a certain narrow road near the church of the same town, on the eighth day thence past, in his own defence feloniously struck John Yngram with a certain *le bazelard* in the breast, of

were abolished, and the stone altars were ordered to be removed from our parish churches, and wooden tables substituted for them, and the marriage of priests was declared to be good and valid. Visitors were also sent out with injunctions to see that "all monuments of idolatry," (as they called the ornaments of the church) were removed out of the walls and windows of the churches. And by way of climax on the 6th April, 1549, a royal proclamation was issued, actually forbidding the celebration of the mass throughout England.

These proceedings, as I have elsewhere stated, produced very great irritation in the minds of the people of this district, who were warmly attached to the "old religion," and as zealously opposed to the introduction of these novelties. It is not, however, my purpose here to speak further on that head, but to confine myself in this place, as far as possible, to what took place with reference to our own parish church itself.

In consequence of these orders and injunctions, the stone-altar, the screens, and lattices, which then separated the choir and side-chapels from the nave, and the other ornaments, which then adorned our church, were removed or destroyed. Our beautiful church cross too, in all probability was defaced at the same time. The altar-

which on the following day he died—for which he sought immunity. Before these witnesses, Thomas Smerthwet, Richard Warcopp, Ranold Smerthwet, Robert Harvy, and others."



FLEEING TO SANCTUARY.

rails, the tessellated pavement, and painted windows,* being probably then spared to be afterwards ruthlessly thrown down and destroyed by the Puritans.

The early death of Edward VI., and the accession of Queen Mary to the throne, checked for a while these ravages of the church, and of its possessions. It is to be regretted, however, that this should have been effected at the cost of so much human blood,† but such a thing as tolerance in matters of religion was unknown in that age, and it was then considered a matter of conscience and a bounden duty, on the part of professed Christians, thus to put down and punish such as were deemed by themselves to hold and practice erroneous doctrines, and neither of the two contending parties were in this respect guiltless. The Marian persecutions, however, did not injuriously affect the church here, or its clergy, for as will be disclosed in these pages, the people of Masham, if they did not sympathise with her in her crusade of persecution, were but too glad of being permitted, as they were by her, to adhere to the old faith, and to reject the novel doctrines and practices which had been introduced into the church in the previous reign.

The check, before alluded to, however, was but of short duration, for, by the death of Queen Mary, after a brief reign of five years, and the accession of her sister, Queen Elizabeth, to the throne, the flood of reform, which

* Dr. Whitaker in his "History of Richmondshire," says, in speaking of Masham Church, that, "In 1622 there was a shield bearing argent on a fess, between three plain cotises gules, as many fleurs de lys, in a northern window; and also, the arms of the Scropes in one of the south windows."

† The historian Speed (who was a Protestant) says, that 277 persons suffered during the reign of Queen Mary, either by being deprived of their livings, the loss of their estates, imprisonments, tortures, or banishment on account of their religion. Lord Burghley, however, in his tract, entitled "The Execution of Justice in England," says that as many as 400 suffered in this reign. But great as this number seems, it is as nothing when compared with the number of Roman Catholics who suffered during the succeeding reign of Queen Elizabeth, on account of their religion—allowance however, should be made on account of the much longer reign of the latter Queen.

had been but dammed up for the while, was allowed to break loose again, and that too with greater force than before, only to bear down with an irresistible force all before it, and to turn the tide of persecution in the contrary direction, viz: against the Roman Catholics. In this reign, unlike that of Queen Mary, the church at Masham and its clergy and people were made to suffer. In it cruel penal laws were enacted for the extirpation of the Catholic religion, which at that time was the prevailing religion in this parish. It was made death to ordain a Catholic priest within the kingdom—it was death for a Catholic priest to enter the kingdom—it was death to harbour a Catholic priest—it was death to confess to such a priest—it was death for a priest to celebrate mass—and it was death for a Catholic to attend at mass. And other laws* were enacted, which were hardly less cruel in their

* By the statute 1 Eliz., cap. 1, all persons were required to resort to their Parish church upon every Sunday, and other days, ordained and used to be kept as holidays, and then and there to abide orderly and soberly, during the time of common prayer, preaching, and other service of God there to be used and ministered, *on pain of punishment by the censures of the church*, and also on pain of forfeiting twelve pence for every such offence, to be levied by the churchwardens to the use of the poor, of the goods, lands, and tenements of such offender by way of distress.

By the 23 Eliz., cap. 1, it was enacted that every person, above the age of sixteen years, who should not repair to church, should forfeit £20 a month, and that if he should not do so for twelve months he should be bound with two sureties in £200 at least, to the good behaviour, and so to continue bound until he did conform.

If any person should keep a schoolmaster who should not repair to church, or be licensed by the Bishop, he should forfeit £10 a month, and such schoolmaster should be disabled to be a teacher of youth and be imprisoned for a year.

By the statute 29 Eliz., cap. 6, it was enacted that every offender who should not repair to church who had been once convicted, should for every month afterwards until he conformed, pay into the exchequer without any other indictment or conviction, in every Easter and Michaelmas Term, as much as shall then remain unpaid after the rate of £20 a-month, and if default should be made in any part of the payment thereof, the Queen might by process out of the exchequer, seize *all the goods and two parts of the lands of such offender*. But a subsequent statute, the 3rd James I., cap. 4, im-

operation, their professed object being to drive the people into the adoption of the new doctrines, however contrary they might be to their own convictions. Such was the vigour and stringency of these laws that the people of this district, as we have already seen, were driven into open rebellion, and were punished accordingly.*

I have already shewn in these pages how that the religion of the people being thus interfered with, and attempted to be coerced in a particular direction, they not only rebelled against it, but refused to listen to its teachings, or to reverence its ministers, and how they were persecuted for it. These proceedings, as to the great bulk of the people, instead of driving them into the church, drove them out of it, and many that remained in it (being such characters as I have before described) would, for the credit of the church, have been better out of it, for they but nominally conformed to its doctrines and precepts in order to avoid the penalties, and as such were worse than hypocrites.

In the midst of these persecutions, and possibly as a consequence of them, puritanism reared its pestilential head within this district, and not only took possession of a small portion of the laity, but also of the vicar of Masham, which also, in its turn, caused considerable irritation in the parish. The Rev. Gilbert Horseman having

proved upon this last act, by enacting, that *the King might refuse the £20 a-month, and take two parts of the lands, at his option.*

And every person who should maintain, retain, relieve, keep, or harbour in his house, any servant, sojourner, or stranger, who should not repair to church for a month together, should for every month forfeit £10.

What mortal man, I would ask, could resist laws such as these? And can it be wondered at, that by force of these accursed enactments, many *bad* Roman Catholics were turned into *worse* Protestants?

* Dr. Bridgewater (a Roman Catholic) in his "*Concertatio Ecclesiæ Catholicæ*," gives the names of about twelve hundred Roman Catholics who thus suffered on account of their religion during the first thirty years of the reign of Queen Elizabeth, namely before the year 1588, and we know that great numbers suffered in the same way after that period; and, as such are not taken into account in that work, these pages, indeed, will add not a few to the names thus enumerated by him.

succeeded to the vicarage in the year 1602, in the course of time, exhibited evident symptoms of a strong leaning to the puritanical doctrines and practices, so obnoxious to his parishioners, as is shewn by his not having the bell tolled for prayers on Wednesdays,* and Fridays, and not reading the litany and prayers on those days, as had hitherto been the practice in this parish, and in not wearing a hood,† and in refusing to read in the church

* Dr. Hook, in his "Church Dictionary," says, that Wednesday, "in our own Church is numbered among the Rogation and Ember days, besides which throughout the year the Litany is appointed to be sung or said on Wednesday, as well as on Sunday and Friday, after morning Prayer"; and as to Friday he says, "It is our weekly Fast for our share in the death of CHRIST, and its gloom is only dispersed if Christmas-day happens to fall thereon." The Puritans, however, and the Vicar sympathizing with their prejudiced and erroneous views upon the subject, refused to observe these days as too nearly approaching the usages of the Romish Church, which of itself was a sufficient reason, according to their ideas, for rejecting them.

† By the 58th Canon, "every minister saying the Public Prayers, or ministering the Sacraments, or other rites of the Church, if they are graduates, shall wear upon their surplices, at such times, such HOODS as by the orders of the Universities are agreeable to their degrees." Although the wearing, or the not wearing, a hood, is an indifferent matter of itself, yet Mr. Horseman was bound by the vows he took at his ordination, to obey the Canons of the Church, and as such to wear a hood. The Puritans however, had, or pretended to have, some scruples about the matter. They even objected to the *surplice*, which they called a rag of Popery—the whore of Babylon's smock; and the Book of Common Prayer, they called a Mass in English, and nicknamed it Porridge. Such was the temper of these people that

Tinkers bawled aloud, to settle
CHURCH-DISCIPLINE, for [instead of] patching kettle.
No sow-gelder did blow his horn
To geld a cat, but cried REFORM.
The oyster-women locked their fish up,
And trudged away to cry NO BISHOP;
The mouse-trap men laid save-alls by,
And 'gainst ev'l counsellors did cry;
Botchers left old clothes in the lurch,
And fell to turn and patch the CHURCH;
Some cried the COVENANT, instead
Of pudding-pies and ginger-bread;
And some for brooms, old boots, and shoes,
Bawled out to purge the COMMONS' HOUSE:
Instead of kitchen-stuff, some cry
A GOSPEL-PREACHING MINISTRY;
And some for old suits, coats, or cloak,
NO SURPLICES NOR SERVICE-BOOK;
A strange harmonious inclination
Of all degrees to REFORMATION.—BUTLER'S HUDIBRAS.

the King's Proclamation. For these offences he was presented in our Ecclesiastical court, when a sentence of suspense was pronounced against him, soon after which he resigned his cure, and died shortly afterwards.

Mr. Horseman was succeeded in the vicarage by the Rev. Dr. Henry Ferne (afterwards Bishop of Chester), who was anything but favourable to the Puritans, as may be supposed, not only on account of his rapid preferment in the church, but from his being selected as a proper person, on account of his abilities, to state the case in favour of Episcopacy as opposed to the Presbytery, before the Commissioners appointed to settle the Treaty of Uxbridge. He did not, however, remain long enough in the parish to be able to effect any great change or improvement in it.

The Puritans, however, were in their turn persecuted, and as Lord Macaulay says, "persecution produced its natural effect on them. It found them a sect; it made them a faction. To their hatred of the church was now added hatred of the crown.* The two sentiments were intermingled, and each embittered the other," and the result was they became for a while the dominant party in both church and state, and as such they not only seized the reins of government, but subverted the church, and having ejected the greatest portion of the clergy from their livings, they seized upon the revenues, and intruded ministers of their own peculiar views into their parishes. Neal (who was himself a Puritan, and therefore may be

* That man who can readily throw off the authority of his church, will not find it very difficult, in like manner, to throw off the authority of the state, and thus become a rebel to his sovereign, as he is to his MAKER. The truth of this proposition was fully borne out by the subsequent history of these times. The same parties who subverted the church, and denied its authority in sacred things, murdered their Sovereign, having first denied *his* authority in temporal things. We know what followed. The people soon got sick of the change, and again desired a King, and a King was given unto them, not the best of kings certainly, but a bad king even, as they had learnt from past bitter experience, was better than no king at all.

regarded as a trustworthy authority upon the subject) in his "History of the Puritans," in speaking of the sufferings of the Episcopal clergy at this time, says, "These being in possession of the best livings in the church were liable to suffer the greatest damages; multitudes of them left their cures, and took sanctuary in the king's armies or garrisons, having disposed of their goods and chattels in the best manner they could. Others, who had rendered themselves obnoxious by their sermons or declarations for the king, were put under confinement, no friend being suffered to come near them;" "yet," he says, "it ought to be remembered that none were imprisoned or turned out for their adhering to the doctrine or discipline of the Church of England, till after the imposing of the Scots' Covenant,* but for immorality,

* "THE SOLEMN LEAGUE AND COVENANT," which was entered into, and mutually subscribed, by the Covenanting and Parliamentary leaders, as well as by a large number of the people of both England and Scotland, and was adopted by the English Parliament on the 21st of September, 1643, is here referred to. Hallam says, "The Covenant consisted in an oath, to be subscribed by all persons in both kingdoms, whereby they bound themselves to preserve the Reformed religion in the Church of Scotland, in doctrine, worship, discipline, and government, according to the Word of God and the practice of the best reformed churches; and to endeavour to bring the churches of God, in the three kingdoms, to the nearest conjunction and uniformity in religion, confession of faith, form of church government, directory for worship and catechising; to endeavour, without respect of persons, the *extirpation* of Popery, *Prelacy*, and whatsoever should be found contrary to sound doctrine and the power of godliness; to preserve the rights and privileges of the Parliaments, and the liberties of the kingdoms; to endeavour the discovery of *incendiaries* and *malignants*, who hinder the reformation of religion, and divide the King from his people, *that they may be brought to punishment*." This Covenant, as we have already seen, was enforced by its adherents, whilst they were in power, by civil penalties of the severest description, exacted with a rigour anything but consistent with their religious professions. Their power, however, ceased with the Restoration, between which time and the Revolution of 1688, instead of being the persecutors they became the persecuted, and hard was the measure which was then meted out to them by their old antagonists, now again in power. They were hunted, and mercilessly shot down like wild beasts, by Claverhouse's dragoons; so that it is said, that, "Scarcely

false doctrine, non-residence, or taking part with the King against the Parliament. However it is to be lamented that several pious and worthy bishops, and other clergymen, who withdrew from the world, and were desirous to live peaceably without joining either side, suffered afterwards in common with the rest of their brethren, their estates and livings being sequestered, their houses and goods plundered by ungovernable soldiers, and themselves reduced to live upon the fifths, or a small pension from the Parliament, either because they could not take the covenant or comply with the new directory for public worship;" and again, he says, "Besides the sequestration of benefices, the Parliament considered the King's clergy as parties to the war, and seized their estates both real and personal under that character, towards defraying the expenses of it. Divers clergymen of considerable learning and blameless lives, sound protestants and good preachers, lost their estates and livelihoods." A pretty candid confession to come from a Puritan! What a humiliating picture of human nature is this, that

"They who should have ope'd the door
Of charity and light, for all men's finding,
Squabbled for words upon the altar-floor,
And rent the BOOK in struggles for the BINDING.

CHARLES DICKENS.

In the midst of the proceedings here described, the vicarage of Masham was seized upon in the name of the

is there a churchyard extant in Scotland, laying claim to antiquity, that does not contain one or more stones, the half-obliterated inscriptions of which attest the fact, that underneath lies some poor victim of persecuting zeal."

And no more
The assembled people dared, in face of day,
To worship God, or even at the dead
Of night, save when the wintry storm raved fierce,
And thunder-peals compelled the men of blood
To crouch within their dens; then dauntlessly
The scattered few would meet, in some deep dell
By rocks o'er-canopied, to hear the voice,
Their faithful pastor's voice."

GRAHAM'S SABBATH.

Parliament, and the Rev. Benjamin Browne, the then vicar, was ejected from his living. For what cause Mr. Browne was so ejected, is not known, except as a "scandalous minister," a term, however, which was applied to all such as were ejected from their livings, although many of them, it is admitted, little deserved so opprobrious a term being applied to them. It could not have been on account of immorality, or unsound doctrine, because I find that during the time he so remained out of his living, he was doing occasional duty at some of the neighbouring churches, which the Parliament could not supply with ministers, for Neale says, "The silencing of so many clergymen at once, made it very difficult to find persons qualified to fill the vacant pulpits. And again, he says, "The Parliament entertained and promoted several Scots divines, and yet after all, wanted a supply for several vacant benefices, which obliged them to admit of some unlearned persons and pluralists, not of choice, but through necessity." However this may be, Mr. Browne was deprived and kept out of his living for several years. On the 12th of July, 1649, Mr. Christopher Lancaster, a "Preaching Minister," was put into the living by the Parliament, from which time down to April, 1652, he appears not only to have held the vicarage but to have discharged the duty in person. On this latter date, however, he went to Kirkby Malzeard, when, according to memorandum entered in the Parish Register, it is said that Mr. Anthonye Prockter had the parish of Masham assigned over to him under hand and seale from Mr. Brown, vicar of Kirbye, with consent of Mr. Matthew Beckwith,* and those that

* Matthew Beckwith was the son of Roger Beckwith, Esq., of Aldborough Hall, near Masham. He was one of Cromwell's captains, and a justice of the peace for the North Riding, and as such was very active in putting the laws in force not only against the Roman Catholics, but such as presumed to differ from him in matters of religion. Justices of the peace, however, during the Commonwealth, were generally speaking not men of the first water. There were many Justice Shallows among them. As Lord Clarendon

are of the order of the fower and twentie.”* It appears that he remained here until 1655, for in another memorandum in the Parish Register, under date of 1655, it is stated that “Mr. Prockter did leave Masham and goe to the vicaridge of Well.” This Anthony Prockter is described in the Parish Register of Well, as a “Nonconformist,” and as having intruded himself there between the years 1654 and 1662.

Mr. Prockter was succeeded here by Mr. John Newman, who is described in the Parish Register, as “Minister of Masham,” which says that “he came to live at Masham the last day of August, 1655,” and he seems to have remained here, and in the possession of the living during the Protectorate, until 1661, when the Rev. Benjamin Browne, the rightful vicar, was restored to it, and lived to enjoy it, after all

observes, they were raised out of a class of persons who had previously been of no higher grade than constables; as an instance of this, the town of Chelmsford, at the beginning of the wars, is said to have been governed by a tinker, two cobblers, two tailors, and two pedlars. It was probably in his capacity as a justice of the peace, and acting on the behalf of Parliament, that Matthew Beckwith was a party to the transaction here alluded to, whereby Mr. Browne, the rightful vicar of Masham, was put out of his living to make way for Mr. Anthony Prockter, the Nonconforming Minister. After the Restoration, Matthew Beckwith became steward to the Earl of Elgin (an ancestor of the present Marquis of Ailesbury) and as such built the east end of the Marmion Chantry, at Tanfield, where he resided, and put over his door in latin,

IF RELIGION FLOURISHES I LIVE.

M. B. 1668.

Whereupon Mr. Littleton, the then rector of Tanfield, who lived opposite to him, by way of answer, put up over his door:

I do not heed the man the more
That hangs religion at his door.

He married Elizabeth, the daughter of Sir John Buck, Knt., of Filey, by whom he had issue, from whom are descended the Beckwiths, of Thurcroft, Yorkshire, and Trimdon, in the county of Durham.

* This is I believe the first time that the body called the “Four and Twenty” are named. It proves at all events that that body was not only in existence, but were exercising very extraordinary powers, so early as the 12th July, 1649.

his trials, some twenty years afterwards. He died and was buried at Masham on the 11th December, 1681.

It is hardly necessary to say that the few ornaments which had been left to the church on its being despoiled soon after the Reformation, were removed or destroyed during the supremacy of the Puritans, and that it is most probable that it was at this time that the altar-rails, tessellated pavement, and the stained glass windows, which formerly graced the church, were broken down and demolished. At all events we have but too much proof that they left the church in a great state of neglect and decay, and in need of much reparation.

I have not been able to ascertain what progress was made in the restoration of the ornaments and in the repairs of the church, during the remaining years of Mr. Browne's incumbency, but it appears by the churchwardens' accounts that they were being proceeded with in 1682, when his successor, the Rev. Joseph Welde, entered upon the vicarage. I suspect, however, that in the year 1680, considerable expense was incurred by the churchwardens in the restoration of the church, as I find that the accounts for that year were objected to by some of the parishioners, who cited the churchwardens to produce their accounts in the Ecclesiastical Court at York, but that court was restrained from further proceeding in the suit by reason of the Court of King's Bench having granted a writ of prohibition for that purpose, as will be seen hereafter.

The following items of payment, which I have extracted from the churchwardens' accounts for the year 1682, will afford us some information as to what was then doing:

	£	s.	d.
" For 4 churchwardens goinge with Mr. Weld into the parish to gather a Brief.	0	2	8
" Bestowed on Mr. Weld at several times when hee preached . .	0	2	0
" For goinge to Ripon beinge sumined to ye Bishop's Court, both old and new churchwarden	0	8	6
" For charges with ye Bishop's Parriter att Robertt Jaques . .	0	6	0

"Paid at the Courte for an Order for settinge ye Altar Railes ..	0	3	4
"For charges att ye same time old and new churchwardens being sitted to appear	0	5	4
"For our dismission out of Court and Charges	0	4	8
"For given for attendinge the Parson Courte 2 dayes, being sitted to appear	0	4	0
"Paid to William Dawson, of Tanfield, for Riles to Alter Table	1	16	0
"For fetching them from Tanfeild and other charges	0	2	0

From these items we learn that the altar rails, which had been removed as in other churches in these troublous times, were now restored, in consequence of some proceedings having been taken against the parish in the Ecclesiastical Court at York to compel their restoration, as well as to otherwise restore the church which had fallen to decay.

The Brief, above alluded to, which raised £8 4s. 9d. was for the benefit of the French Protestants.

In the accounts for 1683, and 1685, several sums are entered as having been paid for charges with two limners which came to see the church, 3s. 8d., and for what is called beautifying the church, and amongst other items, is "Paid Phillip Waller for drawinge ye kinge's arms* in oyle, which was more than our bargain, £1." The beautifying here alluded to is no doubt the covering of the walls of the church with texts of scripture, painted in black letters, and surrounded by ornamental scroll-work, to form panels. Some of this work was exposed to view during the late restoration of the church. In the accounts for the same year, 1685, several sums are also entered as charges for a "new belfrey floor," and in those for 1688, for the expenses of the churchwardens in going to York, on their being cited to appear three several times at the Ecclesiastical Court there, and for court fees paid by them on those occasions.

* In the year 1650 (during the Commonwealth) the Parliament caused the king's arms to be defaced and expunged in all places of public worship and courts of judicature throughout the dominions, "to make the giddy people forget the garlick and onions of Egypt they much hankered after." After the Restoration the royal arms were required to be put up again in the churches, which will account for this item.

In this latter year the Rev. Patrick Cooke, M.A., appears to have succeeded to the vicarage. He did not, however, come and take up his residence at Masham until July, 1693, the duty having in the meantime been discharged by his curate, Mr. Leonard Jenkinson, who died at this time.

It appears by the churchwardens' accounts, and the Minute Book of the Four and Twenty that in 1689, the churchwardens' seat was close to the pulpit, and that the pew which they now occupy was then bought by Abstrupus Danby, Esq. from Mr. Christopher Marshall of Masham, for two pounds, and presented by him to the churchwardens.

The reparation of the church appears by the following items in the churchwardens' accounts to have been continued during Mr. Cook's incumbency.

		£	s.	d.
" 1695.	Paid the workmen for poyntinge the spire	13	0	0
	Paid for a load of malt and Bruinge it and carryin it to church	0	18	3
" 1696.	Paid Joseph Pickersgill for makinge 3 new Windowes	1	14	6
	Paid to John Robinson for Ironworke for churchwardenes and Bells	1	15	0
" 1699.	Paid to Joseph Pickersgill, glazier, for makinge 1 new Window and mendinge several other Windowes..	1	2	10
" 1702.	Paid to Joseph Pickersgill for makinge 2 new Windowes	1	12	6

The new windows above alluded to were, I fear, no improvement to the church but rather a disfigurement of it.

The Rev. Peter Save, B.D. (Mr. Cooke's successor) entered upon the vicarage in the year 1703, and during his incumbency of twenty-nine years was the cause of much ill-feeling in the parish. He was a very troublesome and litigious person, having instituted several suits for tithes against his parishioners, and especially against those of the parish of Kirkby Malzeard. These proceedings involved him in debt, which caused him to be incarcerated for a while in York Castle, during which time one of the Register Books belonging to the parish of Kirkby Malzeard was lost.

I extract the following items of payment made by the churchwardens during Mr. Save's incumbency, as best elucidating the state of matters in the parish at this time.

		£	s.	d.
"1719.	Expenses by waiting on Mr. Save to treat	0	1	0
	Expenses at York when obliged to appearing—Mr. Save for 4 men and horses with Mr. Waite and servant, and Mr. Waldrig and Wm. Johnson	1	10	6
	Expences on the Rode with same men to and from York	0	13	8
	Court Charges on yt account	0	6	0
	Paid to ye Procter per Bill	1	11	8
	Paid Mr. Wait for his journey	1	1	0
	Paid Mr. Waldrick p. Bill	2	2	6
	For Wm. Johnson self and horse 3 days at York ..	0	15	0
	To Sir Abstrupus Danby Servt. for money expenses about going to Kirby Knowle to enquire for a cu- rate, sixpence to a messenger twice to Mr. Brook- bank	0	2	6
"1721.	Paid Parson Dickison for giving Communion ..	0	12	0
	Paid M. Thirkhill for going to Middlesmoor for a Parson	0	2	0
	Paid Parson Colling for giving Communion and spent with him	0	17	6
	Paid for a Hors for Parson to Nidherdall	0	1	0
	Paid Parson Dicison for 2 days giveing Communion and spent with him	1	6	6
	Spent when we let the churchyard wall	0	2	6
"1723.	Expences about Feasting the church when it was to be beutefyed was	0	2	3
"1725.	For Alle by Churchwardens and fower and twenty when the clock was about letting	0	2	0
	Do when the Clock was lett	0	2	6
	Spent with ye Collectors when they brought money ..	0	2	0
"1727.	Spent with the Parson*	0	5	0

* The Churchwardens' accounts are full of such items as these. These extracts are valuable, as giving us an insight into the manners and habits of the people at this period. At this time no business whatever, not even church business, could be transacted, except at the alehouse. The clergy were not even exempt from this bad habit, and the churchwardens and the Four and Twenty were peculiarly guilty of it. Hence we find that no parish business was ever done without "drink" being at the end of it, and an item such as this appearing in the annual accounts. No one can conceive the extent to which this bad practice was carried in the seventeenth and eighteenth centuries in this as well as in other parishes.

"1728. Paid Mr. Pointon, of Rippon, for exchange of the				
church Flaggons and Salvers	0	11	0	
For Scouring the Flaggons	—	—	—	

It will be seen by the following entry, made in the Minute Book of the Four and Twenty, that that body in the year 1730 determined upon taking proceedings against Mr. Save in the Ecclesiastical Court for misconduct.

"26th August, 1730.

"It was then order'd at Vestry that the churchwardens should present Mr. Save for several misdemeanors at the Visitation to be held at Aldbrough the Friday following by the Dean and Chapter of York, and that ye parish should reimburse them the charge they should be at and should indemnify the churchwardens for what they should do touching the primisses which said misdemeanors are contained in their presentment and to be presented at ye sd. Visitation. Signed by R. Beckwith, Jno. Bartlett, Chr. Gregg, Tho. Hardcastle, Thomas Ripley, John Ward, Jno. Lonsdale, Will. Bankes, Thos. Leathley, Matthew Jackson, Hen. Ascough, Nic. Watson, Chr. Dawson, X Hodgson his mark, Joseph Pickersgill, Tho. Clarkson."

Connected with this business I find the following entries of payments in the churchwardens' accounts for the years 1730, and 1731, being evidently the expenses incurred in the prosecution of Mr. Save.

		£	s.	d.
"1730.	P'd at Berrow Bridge ye Churchwarden's expences	0	12	0
Aug. ye 28.	P'd ye Court Fees at the same place and time ..	0	5	0
	At ye same time p'd Mr. Brath for a Retaining Fee	1	1	0
"Dec. ye 1.	Paid for a citation	0	1	0
„ ye 18.	P'd for expence att York	0	17	0
	Spent as we came home	0	2	4
	P'd for 3 days' Hors hire to York	0	3	0
"1731.	Disburs'd as by note in carrying sev'l Witnesses to			
	York	8	18	4

Mr. Save did not long survive this prosecution, having died in the year following, as appears by an inscription

upon a freestone monument, erected against the south wall of the choir of the church at Kirkby Malzeard.

“The Reverend Peter Save, Batchelor of Divinity and Vicar of ys Parish 29 years was buried under ys Tomb by his own desire of laying in ye churchyard, September the 11th, 1732.”

In the same year in which Mr. Save died, a clock was put up in the Church-steeple, in pursuance of a Resolution previously passed by the Four and Twenty, in which they direct that the clock face and hand should be placed on the outside of the spire or steeple [and not in the tower as it had heretofore been, and is now again, placed] as not only being commodious and of great use to the inhabitants of the town and the people resorting to the market and fair, but also the country generally. The following items taken from the churchwardens' accounts for 1732, relate to such clock:

	£	s.	d.
“1732. P'd to George Smithes for drying the Clock	0	5	6
P'd to Wm. Thirkill for Alle for the churchwardens and George Smithes, meeting about the Diall plate, for setting of it up	0	1	6
P'd George Smithes for repairing of the hand ..	0	4	0
P'd to John Howgill for the Diall plate as ap'ears by Bill	6	6	0
P'd for the carriage of the Diall plate betwixt York and Millby, and the car'age betwixt Milby and Masham	0	13	6

Mr. Save was succeeded in the Vicarage by the Rev. Goodrick Ingram. During Mr. Ingram's incumbency, a gallery was erected at the south end of the nave of the church, as appears by the following entries in the churchwardens' accounts:

	£	s.	d.
“1751. For a Faculty for the Gallery	2	10	0
To Thos. Walker and Jno. Shepherd, to complete the price of the Gallery	3	0	0

It appears by a minute entered in the Minute Book of the Four and Twenty, dated 14th March, 1753, that three of the floors in the steeple, namely, those two which were next under the bell-floor, and that which was over it, as also the roof over the nave, were much out of repair;

and that the outside walls and the steeple were much in want of being pointed; also that the walk upon the top of the tower outside the steeple also wanted repairing and leading; all which repairs the Four and Twenty then ordered to be done. Leave was also given by them to Mr. Danby at his own cost to make a ceiling under the roof of the nave of the church, and to embellish it with cornices and other suitable ornaments, such as he should think proper, and to make what alterations he should think fit, in the windows in the body of the church.

In another minute in the same Book, dated the 23rd January, 1754, it is stated that the north aisle of the Church was so ruinous and out of repair in the leads, that it required to be entirely releaded, and that the Four and Twenty, accordingly, ordered it to be done. It is also therein stated that the windows in the same aisle were thought too small, and insufficient for the lighting of the church; and that the leads and glass in such windows were so broken that they required to be made entirely anew; and that the Four and Twenty, accordingly, then ordered such windows to be so enlarged, and to have new glass put therein. They also, at the same time, ordered that the churchyard gates should be made anew, the old ones being quite decayed and broken.

In another minute in the same book, dated the 6th August, 1755, it is stated that the south aisle of the church was out of repair, and that Wm. Danby, Esq., out of the good will he had to the parish, and in regard to the great expenses the inhabitants had lately been at in the repairs of other parts of the church, had voluntarily agreed at his own charge to take down the roof, and to erect a good and substantial one in its stead, and to make a handsome ornamental ceiling to it, and to make new windows in such aisle, and that leave should be then given to Mr. Danby to carry out such repairs and improvements as proposed.

Mr. Ingram was, on his death, succeeded in the vicar-

age of Masham, by the Rev. Edward Moises. During his incumbency the repairs and restoration of the church appear to have been continued.

It appears by a minute entered in the minute book, before alluded to, dated the 18th June, 1760, that it had then been found, that the vestry and aisle adjoining to the chancel, were so ruinous and out of repair, and particularly the roof, that it could not be repaired without making it entirely anew, and being releaded, and that the Four and Twenty then accordingly ordered this to be done, and also that the windows of the vestry and aisle should be enlarged or altered, as the churchwardens should think requisite.

In another minute in the same book, dated the 4th March, 1761, it was ordered by the Four and Twenty, that with regard to the vestry, the window of which was greatly out of repair, should be made anew, and that a plastered ceiling should be made and the walls new plastered; and that the chamber floor,* which was entirely useless, should be taken down.

And in another minute in the same book, dated the 17th November, 1765, it is stated that the four bells belonging to the church had been taken down on account of the badness of the timber-work, and other materials, used in the hanging of them, and that the bells themselves were not only somewhat out of repair, but were so ill proportioned in point of size and weight, ill-shaped, ill-matched, and untuneable, that it was thought advisable that they should be sold, and four new good and tuneable bells should be purchased in their stead; and also that a sum of money had been raised by a voluntary subscription, sufficient for purchasing two additional bells; and that the Four and Twenty had therefore ordered that the churchwardens should dispose of the four bells, and purchase four good new tuneable

* From this it appears that up to this time there had been a chamber over the vestry.

bells in their stead, and had also given leave to add two other bells to them, and to have the whole six bells hung in the belfry.

The following extract from the churchwardens' accounts will shew the weight and cost of these six bells.

				£	s.	d.
"Paid to Jas. Harrison, Bell Founder, for Freight of 4 old Bells from York to Hull				0	18	6
				Cwts. qrs. lbs.		
"For 6 new Bells						
	No. 1....	5	3	20		
	No. 2....	7	2	11		
	No. 3....	8	1	22		
	No. 4....	9	1	23		
	No. 5....	11	1	10		
	No. 6 ..	13	1	23		
				56	0	25
				at £6 per Cwt.		
				337	5	0
"For Wood for Stays, 12d.; Grease and Oyle, 12d.				0	2	0
"For making the Bell frames and hanging the Bells				34	0	0
"For repairing the Church-clock & puting out a Dyal face against the broach of the Church				7	0	0
				£379	5	6

The following is a copy of the inscriptions upon the six bells:

1st Bell.	"Look too my brethren whilst the Peal I lead
2nd "	We to the tribble's motion must take heed
3rd "	In various course we are taught to range
4th "	In singles, doubles, and in tripples, change
5th "	For every peal is rung by different scheme
6th "	Of dodge, and bob, and round to the extreme.

MEMENTO MORI.

Each of the bells bears date 1766, and is inscribed with the names of "James Harrison, Bell Founder; Ed. Moises, Vic.; and Wm. Wrather, Jas. Calvert, and Thos. Smothwaithe, Churchwardens."*

It appears by an entry in the Minute Book of the Four and Twenty, before alluded to, dated 27th July,

* The six bells here mentioned were again taken down and rehung in the Autumn of 1862, when two additional bells were added so as to complete a peal of eight bells. These bells were opened on the 5th November, 1862.

1766, that the church clock was declared to be not only out of repair, but of no manner of use, and it was ordered that a new one should be put up in its place.

And in the same book is also entered the following order of the Four and Twenty, under date of the 25th February, 1770, "That for the sake of acquiring more seats (which are much wanted) in the church, the Font* shall be removed from ye place where it now is, and placed at ye west end of ye passage or alley, which is ye nave of the said church, and that the large seat or pew in which the said font now stands shall be divided into lesser pews for ye sake of accommodating families that are in want of pews."

Mr. Moises died at York on 6th of February, 1790, aged seventy-three, and was buried in the church within the communion rails.

The successor of Mr. Moises was the Rev. Richard Kershaw, B.D., a son of the vicar of Leeds, and rector of Ripley, who died in 1736. He did not, however, live long

* I believe that the Font was not only removed at this time, but that a new one was substituted for it, which certainly was not by any means an improvement upon the old one. A few years ago the old Font was discovered to have been put to a most shameful use, an ex-churchwarden having converted it into an urinal for his cow-house, and so used it for many years. Strange as this may seem it was very like the act of a churchwarden of these times. Churchwardens, as their name and oath of office import, are, or ought to be, the guardians and protectors of the Church; yet, they are, generally speaking, the greatest enemies it has to encounter. As a class they appear to have no proper notion of the sanctity of the place they have under their charge, and regard the church, and all that belongs to it, as they would any other building, however mean and vile its purpose. I can point to a dung-hill in Masham, the filthy contents of which are fenced in with lettered gravestones—sad mementos of mortality—desecrated and sacrilegiously taken away by those connected with the church, from out of the churchyard; and flagged causeways, constructed of similar memorials of the dead, taken away in like manner from holy, consecrated ground, in utter disregard to all decency and propriety. A proper reverence for God's house is wholly unknown to them, and instead of shewing their love for their Maker by rendering his holy temple worthy of his name, they are ever contriving how little they can spend upon it, and thereby reduce the amount of the church-rate. This was not so in times gone past.

enough for any improvement being effected in the church during his incumbency. He died on the 27th January, 1791, and was buried in the church, where a tablet is erected to his memory bearing the following inscription:

“Near this place are interred the mortal remains of Richard Kershaw, M.A., sometime Fellow of Trinity College, in the University of Cambridge, and vicar of this parish; with ready wit and a refined imagination, he united in a mind of more than ordinary compass a correct and vigorous judgment; giving to the support of that true religion of which he was a firm and sincere professor, the authority of acknowledged talents, and appointed to his spiritual charge he was preparing to fulfil his duties as a pious pastor among his parishioners, when in the faith and hope of his high calling he was removed to the life eternal in the year of our salvation 1791, in the forty-eighth year of his age.”

Mr. Kershaw was succeeded in the vicarage by the Rev. William Lawson. In the early part of Mr. Lawson's incumbency, whilst he was travelling in France, during the time of the war between England and that country, he was taken prisoner and detained there for a long time. On being liberated at the conclusion of the peace, he retired to Kirkby Malzeard, and there built himself the present parsonage-house, and, having surrounded it with high walls, he shut himself up in it, and was rarely or ever seen afterwards, or at all events by his parishioners at Masham. The consequence was, that during his long incumbency of forty-two years everything connected with the parish and his cure was neglected, the sole charge of this wide and extensive parish being committed to his curate, the late Rev. Joseph Burrill. Considering that Mr. Burrill during the time he so held the curacy was carrying on a large and flourishing boarding-school—was the Head Master of the Grammar School—and was at the same time personally managing a farm which he rented, it will be readily seen that he could not pay that attention to the spiritual con-

cerns of the Parish, and of its inhabitants, which its importance demanded, or which ought to have been bestowed upon it. Very few improvements were therefore effected in the church during this incumbency.

The following extracts however from the churchwardens' accounts during this time, may be useful, and may interest the reader in the way of furnishing him with dates.

	£	s.	d.
" 1797. Paid Henry Cook for new Gates* to ye Churchyard as bill	19	6	2
" 1801. Dan'll Ingleby's Bill, new Hearse †.. ..	14	14	0
" 1807. Decr. 23rd, Paid for mending Bazon ‡ ..	0	6	6
" 1808. July 2nd, Paid for Reeds	0	3	4
" 1812—13. Paid James Metcalfe for the King's Arms ||	15	15	0

* The gates here alluded to are still in use. Henry Cook, the maker of them, was a smith in Masham.

† The new hearse continued in use until its place was supplied by another, and more elegant one, which is the one now in use, and was built by Mr. Thomas Pullen, coachbuilder, Masham. Daniel Ingleby, the maker of the old hearse, was a noted wheelwright at Ilton.

‡ The items for mending the bazon, and for the bazon reeds, remind one of the time when screeching fiddles, squeaking clarionets, dyspeptic flutes, and grunting bazoons, were heard in our Parish Churches—to the great delight, no doubt, of the country swains who performed on them, but to the entire subversion of all proper notions as to the sacred character of church-music. More correct ideas on this subject have, however, prevailed of late years, but there is still much room for improvement. Many of the tunes which are even now sung in the church, might, with great advantage, be handed over to the "Ranters."

|| The King's Arms here mentioned, are still in the church. They were painted by Richard Metcalfe (a son of the James Metcalfe mentioned in this entry) who was, in his day, an artist of considerable merit, and whose works will, at some distant day, attract that attention which they merit. He was a native of Masham, and when a youth was put apprentice to Mr. Bucktrout of Bedale, to learn the business of a house and sign painter. During his apprenticeship he evinced talents and aspirations of a higher order than could be satisfied by following the vocation for which he was originally intended. At the expiration of the term of his apprenticeship, he returned to Masham, and having attracted the attention of Julius Cæsar Ibbotson, then a resident here, that worthy gentleman (knowing by his own past experience the value of such assistance) kindly gave him the necessary instructions and directions for pursuing his studies as an artist, and otherwise rendered him considerable assistance in the prosecution of them. After

		£.	s.	d.
" 1814—15.	Expended with Guy in agreeing to his teaching Sin'g	0	9	0
" 1815.	Jan. 25, New Barrel to ye Organ, paid Ward	..	10	0 0
	„ 31, Repairing two old Barrels.. ..	..	3	16 0
" 1821—22.	Paid the Kettlewell singers .. ..	..	6	6 0
" 1827—28.	Paid the person who repair'd the Spire and his ex- penses .. .. .	..	5	4 9
" 1828.	June 3, Paid Ballance on acc't of the Steeple..	..	23	11 1
" 1829.	Jan. 9, Paid Mr. Trumper for his valuation of Parish*..	..	5	0 0
" 1833.	Jan. 23, Paid Mr. Tate for Faculty† .. ..	..	10	12 7

The reparation of the church spire above-mentioned, was occasioned by the upper portion of it having been blown down in a high gale of wind. The person alluded to as having repaired it was Mr. Phillip Wooton, of Nottingham. The way in which that daring gentleman effected it, without scaffolding, is worthy of being recorded. He first took a long ladder upon the top of the battlement, and having reared it up against the steeple, he fixed the lower end of it to the battlement, and the upper end of it to the steeple with iron cramps, which he drove into the wall; he then took another ladder up the first ladder, and fastened the lower end of it to the first ladder, about midway of it, and then cramped the upper end of it to the side of the steeple with iron cramps in the same way he did the first ladder. He then took ladder after ladder, and fixed them successively in the same way as he did the second ladder, as before described, namely by fastening the bottom end of each succeeding

prosecuting his studies for some time under Mr. Ibbotson, he removed to Ripon, and there for many years received the patronage and support of the late Mrs. Lawrence of Studley Park, for whom he executed several works. He removed from Ripon to Catterick, and from thence to Masham, where he ended his days, on the 27th of November, 1842, in the 58th year of his age.

* As to the effect of this valuation see *ante* p. 25.

† This Faculty was obtained for the erection of the three galleries now standing in the west-end of the church. This entry is (like a former one for a similar Faculty) inconsistent with the claim set up by the Four and Twenty, that they have the same powers in and over the church at Masham, as the Bishop or Ordinary has in other parishes. Mr. Tate was the Registrar of the Peculiar Court of Masham.

ladder about midway up the ladder which had been last fixed, and cramping the upper end of it to the side of the steeple, until he at last reached the top of the steeple, which he accomplished in about three hours. By the aid of these ladders alone, and without any scaffolding whatever, he not only took down the damaged part of the steeple, but built it up again, and fixed the vane upon it in a very substantial and workmanlike manner. The work was commenced upon the 28th June, 1827, and completed on the 9th July, 1827.

The Faculty above alluded to, which was granted by the Peculiar Court of Masham, was to authorise the pulling down of the old gallery which had been erected in 1751, as before mentioned, at the south end of the nave of the church, and the building of the present gallery (which is much larger than the old one) and the side galleries as they now are. Some of the seats in the centre gallery were then sold, for the object stated in the following minute, which I here give at full length from the Minute Book of the Four and Twenty.

“At a vestry of the Four and Twenty of the parish of Masham, in the vestry of the Parish Church, held the first day of December, 1832.

“Whereas the gallery at the west end of the middle aisle of the church has lately been rebuilt and enlarged, and also new galleries erected at the west ends of the south and north aisles of the church. It was intended by the erection thereof that the seats or pews of the said galleries should be enjoyed or occupied by such of the parishioners for the purpose of hearing divine service as the said Four and Twenty should from time to time direct and appoint, they by immemorial usage* having

* Generally speaking the disposal and distribution of seats rests with the churchwardens, but only as the officers, and subject to the control and correction of the Ordinary.—*Fuller v. Lane*, 2 Add. R. 425; *Kenrick v. Taylor*, 1 Wils., 326, per Lord Coke; *Browne and Goldsb.* R. 45. “In some places usage has vested the power of disposing of seats in churchwardens and vestry; and in others, in a particular number of the parishioners, exclusive

always exercised a right to the erecting of the pews or

of the Ordinary."—Prideaux's "Directions to Churchwardens," by Tyrwhitt, p. 107 (10th Edit.) It is also said by Dr. Burn in his "Ecclesiastical Law," vol. i., p. 255, (1st Edit.) "That a custom time out of mind of disposing of seats by the churchwardens and major part of the parish, or by twelve or any particular number of the parishioners, is a good custom, and if the Ordinary interpose, a prohibition will be granted," citing Gibs., 198.

The authorities above cited go far to show that an immemorial custom may exist in this Parish, which would authorise the Four and Twenty to dispose of the seats in the church, as stated in the text. The question, however, is, whether it can be established by legal evidence that such a custom has existed from the time of legal memory, and if so, that it has been continuously acted upon by the Four and Twenty, down to the present time. There can be little doubt but that the Four and Twenty have for a considerable period exercised this authority of disposing of the seats in the church, but I question whether they have done so continuously down to the present time. If I mistake not, after the last occasion when the church was repewed, the Four and Twenty not only took no part in the disposing of the seats, but were not even consulted upon the subject by the vicar, who disposed of them as he thought proper. It may, therefore, be well doubted whether the Four and Twenty have not lost their right to dispose of the seats in the church, even supposing that they ever possessed any such right. If the Four and Twenty really possessed the power of seating the parishioners in the church, as claimed by them, it is a great pity that they, in the instance here alluded to, surrendered such power to the vicar, or rather allowed him to usurp it, for it is notorious that the way in which the seats were disposed of by him gave great umbrage and dissatisfaction to several of the parishioners, and not without cause, for if the grossest partiality and injustice was not used in the redistribution of the seats on that occasion, it had all the appearance of it, and as such tended to increase the unpopularity of the vicar.

The following extract from the Minute Book of the Four and Twenty will further shew that that body has, from an early period not only claimed, but exercised, the right of disposing of the seats in the church.

"Novemb'r the 30th, 1689. Mem'm, That the Worshipfull Abstrupus Danby, Esq'r, Lord of the Manor of Massam and Massamshire, did give fourty shillings to Christopher Marshall, for his pew, erected in the lower end of Massam Church aboves'd, and did also give and bestow the abovesaid Pew or Seat to the then Churchwardens of Massam Parish and to their successors, and that the above Mr. Christopher Marshall, by the consent of the aboves'd Worshipfull Abstrupus Danby and the rest of the Four and twenty, did amend or repair a Seat or Pew by the Pulpitt formerly the old Churchwardens beninge granted to hime and his posterity."

The following Document (which is now in the possession of Mr. Thomas

seats in the church, and appropriating the said seats to particular persons or families in like manner as the Ordinary in other parishes has a right to do. At this meeting it was resolved to relieve the parishioners in part from the heavy expense of enlarging the said middle gallery and erecting the two new galleries; that a part of the gallery in the middle aisle be appropriated to such person or persons as may be disposed to purchase the same for the use of themselves and families, for the purpose of hearing divine service. Therefore it is ordered that the seats or pews in the middle gallery on the south side of the organ and two upper pews on the north side of the organ be offered to be disposed of* for the benefit of the purchasers or their families, or such other persons, being parishioners, as the purchasers may assign them for their sittings to hear divine service on the following terms, viz:

Stott of Masham) also affords similar proof of the fact:—

“5th December, 1712. Wee of the Four and twenty for the Parish of Massham, in the County of Yorke, whose names are hereunto subscribed, doe hereby consent and agree that Mr. Thomas Hardcastle of Massham aforesaid, shall have part of two long seats in the Church of Massham aforesaid, adjoyneing to a Pew belonging to S'r Roger Beckwith, Barr't, wherein his servants sits on the West side thereof (viz), that part thereof adjoyneing to the middle Isle, to erect a pew for the use of himselfe and family, at his own p'per costs and charges.” Signed, “Ab. Danby, Ro. Beckwith, Jno. Bartlett, Jno. Beckwith, Tho. Johnson, Thomas Ripley, Chris. Gregg, Sam'l Beckwith, John Mann, John Ward, Robert Plewes, James Williamson, Geo. Thwaites T his marke, John Burrill I his marke, Ralph Ballan R B his marke, Tho. Atkinson X his mark, Tho. Jackson X his marke.” Endorsed, “Lycence from the Fower and Twenty of the Parish of Massham, to erect a Pew in Massham Church.”

Other instances in which the Four and Twenty took upon themselves to dispose of the seats in the church, will be found mentioned throughout these pages.

* At the risk of invalidating my own title to one of these Pews, which my late father bought and paid for, I have no hesitation in saying that the Four and Twenty had no lawful authority to sell these Pews as here indicated. See *Walter v. Gunner and Drury*, 1 Consist. Rep., 314—1798. I hope to see the day when the gallery itself, which is a great eyesore to the church, will be entirely swept away.

No. 1.—£20 accepted and purchased by Mr. Geo. Imeson, Swinton.

No. 2.—£20 purchased by the Rev. John Gipps Bolland.

No. 3.—£16 purchased by Mr. Henry Metcalf, Masham.

No. 4.—£16 purchased by Mr. William Williamson, Masham.

No. 5.—£14 purchased by Mr. John Fisher, Masham.

No. 6.—£14 purchased by Mr. John Lightfoot, Masham.

Nos. 7 and 8, upper seats, north side of organ.—£20 purchased by Mr. Edmund Barker, Masham.

“We, of the Four and Twenty, here assembled, do acknowledge to have received the above sums and the same have been appropriated towards the church rate.” Signed by twenty-one members of the Four and Twenty.

In the same year (the 3rd May, 1832) an organ was erected in the centre gallery, at the expense of the late William Danby, Esq., who also by a deed dated the 1st March, 1833, granted an annual rent-charge of £30, issuing out of the farm at Warthermarsk, then in the occupation of Mr. Thomas Theakston, but now of Mr. William Hodgson, as a perpetual endowment for the organist.

Mr. Lawson died in the year 1833, when he was succeeded in the vicarage by the Rev. George Waddington, M.A., now Dean of Durham.

The Rev. George Waddington, M.A., was educated at the Charterhouse School, and was afterwards Fellow of Trinity College, Cambridge, where he graduated B.A. in 1815, having in 1811 gained Sir William Browne's medal. In 1813 he obtained the University Scholarship, besides being Chancellor's Medallist for English verse. And in 1815 he was Senior Chancellor's Medallist. He was one of the Prebendaries of Chichester Cathedral.

Mr. Waddington, following immediately after the long incumbency of such a vicar as Mr. Lawson, necessarily found the parish and its several charities and institutions

in a very unsatisfactory state. Nothing daunted, however, he immediately set himself to work in investigating and correcting what he found amiss. To him we are much indebted for correcting many abuses which had crept into the management and administration of the several charitable bequests which had been from time to time made to the Parish, and more especially in effecting a more equitable division of the revenues with which the Grammar School and the Free School had been endowed. The Free School, which under former management, or rather mismanagement, had become nearly deserted by scholars and entirely useless, he completely reorganized and put into an efficient footing; and so well did he succeed in it that it very soon became so attractive and so well attended that the school room in a very short time had to be considerably enlarged, so as to accommodate the number of scholars who now eagerly flocked to it. He also established a Sunday School in connection with the church, all the previous Sunday Schools in the town being connected with and taught by the Dissenters. In this effort he was also very successful, the school being very soon attended by a much larger number of scholars than have attended it in more recent times, and was much better conducted, it being then plentifully supplied by very efficient teachers. The present Subscription Library and the Parochial Library, also owe their existence to the originating mind of Mr. Waddington, and to his bountiful purse, he having contributed largely to their funds, not only at their first formation but during all the time he remained at Masham.

But perhaps the greatest boon which Mr. Waddington conferred upon the town, was his procuring the vicarage-house to be built here, by which means he secured to it, and the parish at large, the advantage of having thereafter a resident vicar, an advantage which can only be fully appreciated by those who have known and experienced the want of one. In a place like Masham the influence of a resident clergyman is very great, (especially

when he happens to be a gentlemen who commands the respect and esteem of his parishioners,) and cannot fail at all times to produce a beneficial effect on the morals and manners of the people. The building of the vicarage-house, however, proved a very costly affair to Mr. Waddington, having, as I well know, cost him a considerable sum of money over and above the amount of the grants which he was able to obtain towards its erection, and which had to be taken from his own private fortune.

Very early in his incumbency he procured the tithes of the parish to be commuted, and accordingly embraced that opportunity of putting an end to the collection, in future, of Easter dues, and other small exactions on the part of the church, which, although but of trifling amount, were the cause of much irritation and annoyance to the parties called upon to pay them.

It was during Mr. Waddington's incumbency, viz: on the 17th September, 1837, that the church clock which is now in the tower was presented to the parish by Mrs. Danby, in the place of the old clock, which had got out of repair, and had become useless.

In the year 1840, Mr. Waddington was appointed to the Deanery of Durham, when he resigned his vicarage, to the very great regret of his parishioners, by whom he was very much esteemed. He preached his valedictory sermon (which was published) on the 27th December, 1840, when he left Masham.

Mr. Waddington was succeeded in the vicarage by the late Rev. Thos. Riddell, M.A. Much as had been effected towards the improvement of the condition of the parish during Mr. Waddington's incumbency, there still remained much to be done towards it when Mr. Riddell came to the living. Owing to the previous lax management the people had become somewhat alienated from the church, and preferred the ministrations of the Dissenters to those of the church. Mr. Riddell, by his kind and affable disposition, was well adapted to gain the goodwill and esteem of the people, and the exemplary

and religious life which he led, (coupled with the precepts which he urged with great earnestness and ability, both from the pulpit and in private) had the effect of convincing many that the services of the church were not that barren and lifeless form, as many had hitherto been led to believe, but, on the contrary, tended to, and produced in many of its members, true vital religion. The church accordingly again came into favour, its congregations visibly increased, and the number of its communicants gradually became larger and larger; and this too was not without its effect upon the manners and habits of the people generally. The Lord's day* which had been openly and habitually profaned by gaming, field sports, and intemperance, during the whole time of Mr. Lawson's long incumbency, had by this time begun to be properly observed, and the habits of excessive drunkenness which had characterised the people in that period now gave way to habits of comparative temperance, and more orderly conduct, in the great majority of the people.

No improvements were made in the fabric of the church during Mr. Riddell's incumbency worthy of being here noted, except the restoration of the steeple, of which I now proceed to speak.

On the 27th July, 1855, Masham, and neighbourhood,

* I dare say that there are some old inhabitants still living who can recollect the time when notices of auction sales and other matters of public interest, were openly proclaimed by the Town's bellman at the church gates, on Sundays, as the people were leaving the church. At that time this was the ordinary mode of giving publicity to that which was considered necessary to be made known in the Parish. Many notices relating to parish business, were, indeed, then usually read by the clergymen from the reading desk. Mr. Raine in his "Depositions from York Castle," says "In these days [the seventeenth century] in the North of England, it was customary to proclaim from the pulpit any stolen goods, and other matters of interest to the congregation, were also announced. One rich Rector in the County of Durham, who sat in Bernard Gilpin's chair within the present century, used regularly to announce from the rostrum the sale of the hay off his glebe!"

was visited by a terrific thunder-storm, in which the steeple was struck by lightning, and the upper portion of it was so much damaged as to require its being taken down and rebuilt. A difficulty, however, here presented itself in the Four and Twenty (as the guardians of the parish purse) having refused either to repair it themselves or to contribute towards the expense of its restoration. Mr. Riddell, however, although much discouraged by such refusal, immediately set on foot a voluntary subscription amongst his parishioners, for the restoration of the steeple, and very soon raised by it nearly £400, being more than sufficient to accomplish that object. He did not, however, live long enough to see its completion, having died whilst the work was in progress.

I have already, elsewhere in these pages, alluded to the circumstance of Mr. Riddell's death—the great gloom which it cast upon the parish—and the erection of the “Riddell Memorial Mechanics' Institute” by his parishioners and friends, as a tribute of respect to his memory, and therefore need not further allude to the subject here.

Mr. Riddell died on the 30th September, 1855, and in the March following he was succeeded in the vicarage by the Rev. Thomas Hedley, M.A. (the present vicar) who was then a Fellow of Trinity College, Cambridge, where he graduated B.A. in 1844, and M.A. in 1847.

Since Mr. Hedley entered upon the incumbency, considerable improvements have been effected in the fabric of the church, by a very extensive, although not by any means a complete restoration of it. This has been accomplished mainly through the liberality of the late Admiral Octavius Vernon Harcourt. In the course of these restorations all the old square-headed windows throughout the church (except the two windows on the west end of it) being of a debased style of architecture, were taken out, and new ones, with gothic heads, and of a more correct style of architecture, substituted in their places. The flat roof, with the plastered ceiling and ornamental plaster cornices

which formerly covered the chancel, were removed, and a high-pitched roof, covered with lead, put in its stead, as being more suitable to the character and sanctity of the building. Much of the stonework was repaired and restored, the whitewash was removed, the square boxes of pews which had previously disfigured the church gave place to oaken stalls of a more uniform and suitable description; the unsightly altar-rails were replaced by rails more in accordance with the place. Encaustic tiles took the place of the common rough flagging within the communion-rails; the substitution of an elaborately carved pulpit and reading-desk for the unsightly tubs which had previously disfigured the church; and suitable cathedral glass being substituted in the windows for the square panes of common lead and glass, of which they had been previously composed.

The church also at this time received an addition of two stained glass windows, both of them being superior works of art, and a great ornament to the church, viz: the East window, and the window over the Priest's door in the Chancel. The former, which was the gift of the late Admiral Harcourt, and the work of Mr. Barnett, of Leith, near Edinborough, represents different events in our Saviour's life, together with the descent of the Holy Ghost upon his disciples. And the latter, which is the work of Mr. Barnett, of Newcastle, was erected to the memory of the late wife of the author of this work, who died in child-bed. The centre compartment represents Rachel on her death-bed, and in the act of giving the name of Benoni to her new-born babe; beneath which are inscribed in church text, or Lombardic characters, the words "Rachel called his name Benoni, that is, the son of my sorrow." The second compartment represents Jacob, her husband, weeping over her grave, and beneath are inscribed in similar characters the words, "Rachel died and Jacob set a pillar upon her grave." And the third compartment represents Peter raising Dorcas, and beneath are

inscribed in similar characters the words "All the widows stood by weeping and shewing the coats and garments which Dorcas made." And under these is a band bearing the following inscription, "In Memory of Charlotte Marian Fisher, who died 27th November, 1858."

And in July, 1862, the church received a further addition in the gift by the Rev. George Morton Platt, M.A. (the then curate of Masham) of a new Font of Caen stone, having representations of the symbols of the Four Evangelists richly carved on four of the eight panels* of which it consists, the four intermediate panels bearing fleurs-de-lis, and other church emblems.

Having now brought down the history of the church to the present time, it only remains for me to conclude this chapter by giving a description of the fabric of the church. In doing this I cannot do better than here transcribe what the learned Dr. Whitaker has said on the subject in his "History of Richmondshire."

"At the East end is the church dignified alone among all the churches of Richmondshire by the ornament of a spire, which the Norman tower was well calculated to sustain. This, as it is the oldest is also the most massy part of the church, and has the general feature of these structures soon after the conquest, that the wall is repeatedly contracted. The upper story, on which the spire is immediately raised, appears to be contemporary

* It will be observed that this new Font, like its predecessors, is octagonal in shape. It seems that there is a reason for making Fonts in that shape. The octagon had a mystical meaning in the ancient Christian Church, and, on that account, Fonts were constructed in that form. In Gruter's Inscriptions, page 1166, are some verses of St. Ambrose upon the Font of St. Thecla,

"Octagonus fons est munere dignus eo.
Hoc numero decuit sacri baptismatis aulam
Surgere, quo populo vera salus rediit."

And it was a common observation, that as six was the number of antichrist, so eight, of true Christianity. Hence we find an octagon represented on some ancient coins of Christian Princes.—See Camden, C., xci.



WEST DOORWAY OF THE NORMAN TOWER,
MASHAM CHURCH.

with its superstructure, or about the reign of Edward III. Near the south porch is the frustrum of a Saxon cross, distinguished by scrolls and other characteristic marks of that period. The church itself, with the choir and side aisles, may be termed middle gothic of very handsome masonry without, and kept with extreme neatness within. The north and south choirs have evidently belonged, in right of different manors within their barony, to the Scropes of Masham, but on the partition of their great estates, when Little Burton* fell to the share of the Wyvills, the north choir accompanied it, while that on the south seems to have gone along with the barony of Masham. At the head of the north aisle is a cumbrous and costly monument† to the memory of of Sir Marmaduke Wyvill, the first Baronet of his family and the last inhabitant of Little Burton, in the general style of James I., with two leaning figures, in which the meanness of the material is hid by a thick coat of paint and gilding. The epitaph‡ is interesting from the genealogical information conveyed by it."

* It will be seen here that Dr. Whitaker has fallen into the common error of supposing that Little Burton (or Low Burton as it is now called) formed part of the possessions of the Scropes, and that it came through them to the Wyvill family, which is a mistake. Little Burton never did belong to the Scropes, but was brought into the Wyvill family by Joan, the daughter and heiress of John Pigot, who married Robert Wyvill, an ancestor of the Wyvills of Constable Burton, who it will be seen quarter the arms of the Pigots of Clotherholme.

† The famous antiquary, John Leland, who visited here about the year 1538, merely says that there is at Masham "A faire Church." Dodsworth the antiquary, who visited Masham church on the 19th of October, 1622, says, in speaking of this monument, "In the north choir a fair new monument with the portraitures of a man and his wife—beneath six sons armed, and two daughters kneeling." In the margin of this note he has put, "Builded by himself in his lifetime," alluding to the unusual circumstance of its having been erected by Sir Marmaduke Wyvill to himself in his life-time, namely in 1613, he not having died until the 9th January, 1617. See Dodsworth's MSS., preserved in the Bodleian Library, Oxford, No. 5101, vol. 160, fo. 268.

‡ The following is a translation of the Latin Inscription upon the monument:



The Wybill Monument in Masham Church.

Hic jacet Marmaducus Wyvell, miles primus sui nominis Boronettus filius et haeres X'poferi per Margareta filiam Joh'is Scrope: X'poferus fuit filius et haeres Marmaduci et Agnetis unius quinq soror, et cohaerdum Joh'is filu et haeredis Radulphi Fitzrandall militis et Elizabethae unius trium sororum et co-harerdium Radulphi D'ni Scrope de Masham. Marmaducus fuit filius et haeres Roberti filu et haeredis Roberti et Johannaefilae et haerdis Joh'is Pigot. A.D'ni 1613, quo extructum fuit hoc monumentum, Marmaducis per Magdalenam filia X'poferi Danby militis huit viventes sex filios et duas filias. Evis tunc haeres apparens fuit X'poferus filus X'poferi Marmaducus filius Marmaduci Barbara, unigenita sua vixit ad aetatem annor' 76 et mortuis est Ao. mediatoris sui unici cui sit omnis gloria et Benedictio 1617, mensisq' Januarii 9.

Arms* quarterly—first, gules three chevronels inter-

“Here lieth Sir Marmaduke Wyvell, Knight, the first Baronet of his name, son and heir of Christopher, by Margaret, daughter of John Scrope. Christopher was son and heir of Marmaduke and Agnes, one of the five sisters and co-heiresses of John, son and heir of Sir Ralph Fitz Randall, Knight, and Elizabeth, one of the three sisters and co-heiresses of Ralph, Lord Scrope of Masham. Marmaduke was the son and heir of Robert, son and heir of Robert and Joan, daughter and heiress of John Pigot.

In the year of our Lord 1613, when this monument was erected, Marmaduke, by Magdalen, daughter of Sir Christopher Danby, Knight, had six sons and two daughters living. His then heir apparent was his son Christopher, Marmaduke, son of Christopher, Barbara, the only begotten daughter of Marmaduke.

He lived to the age of seventy-six years, and died in the year of his only Redeemer (to whom be all glory and blessing) 1617, and on the 9th day of the month of January.”

The information afforded by this inscription does not accord with the pedigree of the Wyvills, as given in Burke's “Extinct and Dormant Baronetcies,” wherein, amongst other omissions, nothing is said of the marriage of Robert Wyvill with Joan, the daughter of John Pigot, as here stated.

* Dodsworth in his Notes, before alluded to, gives the arms as follows:—Quarterings—First, gules three chevrons embraced gules [Qy. Vaire] a chief or. Second—Sable three pickaxes argent a crescent moon or. Third—azure a chief dancette or. Fourth, azure a bend or with a file argent paled with azure a bend or with a crescent moon argent. The same paled with Danby.



LITTLE OR LOW BURTON HALL.

laced, vair, a chief, or, Wyvell. Second, sable, three pickaxes, argent, a crescent for a difference, Pigot. Third, azure, a chief indented or, Fitzrandolph. Fourth, azure, a bend, or, with a label for a difference, Scrope of Masham.

On the opposite side is another chapel, the burial-place of the Danbys of Swinton, who having inherited the great estates of Masham from the Scropes, and holding the barony itself in abeyance with the Wyvells, having long resided at Swinton in great opulence, though contented with the rank of private gentlemen. Of this family there is a sumptuous mural monument at the east end with a bust to the memory of Abstrupus Danby, Esq., together with several others of smaller account to other members of the family.

In the North aisle :

Ab hoc non procul marmore jacet Abstrupus Danby miles suae (favente Deo) Familiae Restaurator. Natus vicessimo septimo die Decembris anno Christi Millessimo sexcentesimo quinquagessimio quinto. Denatus vicessimo quarto die Decembris Millessimo Septugentessimio vicesimo septimo. In cujus memoriam Abstrupus Danby Armiger Filius unigenitus, hoc monumentum gratissimo amino posuit vicessimo die Septembris Anno Salutis 1737.*

“Here lieth all that is mortall of Dame Judith Danby, late the beloved wife of Sir Abstrupus Danby, Knight, Lord of the Manors and Liberties of Mashamshire, who departed this life at Swinton the 22nd day of January, 1712.

* The following is a translation of this Inscription :

“Near to this monument lies Abstrupus Danby, Knight (God favouring him) he was the restorer of his family. Born the 27th day of December, in the year of Christ, 1655. Died the 24th day of December, 1727. In whose memory Abstrupus Danby, Esq., his only son, erected this monument with a most grateful mind on the 20th day of September, in the year of our salvation 1737.”

Mors mihi lucrum [Death is gain to me].
 Thro' death I'm passed to everlasting life,
 And so am quit of all your worldly strife,
 Cease to lament for me: yourselves deplore:
 I have all happiness & wish no more:
 Those temporary Joys I had before."

H. S. E.

Abstrupus Danby Armiger qui obiit 12mo Martu A.D. 1750 aet 70. Ex Elizabetha uxore filia Arthuri Ingram de Barraby Armigeri tres filios et unam filiam susceptos reliquit superstites supremum munus posuit Gulielmus filius primogenitus.*

"Here lie the bodies of William Danby, Esq., who died April 8th, 1781, aged 69, and of Mary his wife, the daughter of Gilbert Affleck, Esq., of Dalham, in the county of Sussex, who died June 8th, 1773, leaving him three children then surviving (Mary, William, and Elizabeth). This Monument is erected in grateful testimony of all that a son can owe to the tenderest and most excellent of parents and christians.

The memory of the just is blessed,
 The hope of the righteous shall be gladness.
 PROVERBS."

H. S. M.

"Depositae sunt reliquae Thomae Lockhart unius ex Familia Cornwarth in Brittannia Septentrionali. In mense Julii 1772, Mariam, majorem natu filiam Gulielmi Danby Armigeri uxorem duxit obiit vicesimo secundo die Augusti 1775, prope triginta annos natus."†

* The following is a translation of this Inscription :—

"Here lies interred Abstrupus Danby, Esq., who died the 12th March, 1750, aged 70. By Elizabeth his wife, daughter of Arthur Ingram, of Barraby, Esq., he left three sons and one daughter, him surviving. His eldest son William erected this last tribute."

† The following is a translation of this Inscription :—

"Here are deposited the remains of Thomas Lockhart, one of the family of Cornwarth in North Britain. In the month of July, 1772, he married

"Thomas Danby, Esq., married Elizabeth, daughter of Thomas Wentworth, of Wentworth Woodhouse, Esq. He died Jan. 3rd, A.D. 1582. She lived many years after him at Pott Grange and was a great benefactress to his family."*

At the East end of the church is this epitaph:



CONFINED . IN . A . BED : OF . DVst
 HEAR . DOTH . A . BODY . LYE
 RAISED . AGAIN . IT . WILL . I TRVst
 INTO . THE : HEAVENS : HIGH
 SIN . NOT . BVT . HAVE . A CARE
 TO : MAKE . YOVR . CALLING . SVre
 OMIT . THOSE . THINGS . which triual are
 PRISE . THAT we . WILL . Indure
 Hange . not . your Mind . on secular things
 Each one . doth . fade . apace
 Riches . the . Chief . of . we hath wings
 A . MATRON GRAVE . IS . HERE . INTER'D
 • WHOSE . SOVL . IN HEAVEN IS PREFERR'D
 AFTER HER GRANDSON LOST HIS BREATH
 SHE SOON SVRRENDER'D VNT0 DEATH
 Keeping . no . Certaine . place
 Adict Your . selues . unto . his Conuersation
 You'l . purchase . heauen . for your Habitation.

Of the Lords Scrope there neither is in all probability any interment in this church nor any memorial, except their arms in one of the south windows, which remained anno 1622. It does not appear indeed that though

Mary the eldest daughter of William Danby, Esq. He died the 22nd day of August, 1775, in the thirtieth year of his age.

* See *ante*, pages 264 and 265.

owners of all Mashamshire they ever had a seat in the parish. Clifton,* their nearest residence, is in the parish of Watlass, but Clifton, as we learned from Leland, was only a tower or castlet, so that their general abode must have been at Upsal Castle, as we know that the place of interment of many of them was in York Cathedral, where they had a chapel.

Besides the several monuments above alluded to by Dr. Whitaker, there are several others in the church also worthy of mention, upon which are the several inscriptions mentioned below, viz :

“In memory of Roger Beckwith,† of Aldbrough, Esq., who dyed on Monday, the 19th of January, in the year 1634, and was buried near this place. He married Susanna the daughter of Mr. Brackenbury, of Sellaby, in the county Palatine of Durham, by whom he had Arthur, his successor, and seven other children, four sons and three daughters. She departed this life the 28th day of October, Anno Domini 1670, and lyes buried in the Parish Church of Skelborough. He was the son of Marmaduke Beckwith, of Acton, by Anne, daughter of Mr. Dynley, of Bramhope, which Marmaduke was the

* In the 3rd vol. of Camden’s “Britannia,” by Gough, it is said “A little above Masham, at Clifton, near the river [Yore] are the ruins of a large building of antient Gothic Architecture, which was formerly the seat of the Lords Scrope of Masham.—Part of it is inhabited by Mr. T. Beckwith, a gentleman farmer.”

It is further stated in White’s “Gazeteer of Yorkshire,” page 595, that “Clifton Castle, a handsome Grecian mansion pleasantly situated in a beautiful Park, embossed with thriving plantations, and built in 1802, on the site of an ancient mansion of Geoffrey le Scrope, who had large possessions in that neighbourhood, and in the reign of Edw. II. obtained a license to make a Castle of his House at Clifton. The Manor of Clifton passed from the Lord Scropes of Masham to Sir Ralph Fitz Randolph, and afterwards to the Wyvills, Daltons, and Prestons—the latter of whom sold it to John Hutton, Esq., of Marsk.”—See also *ante*, p. 295.

† He was succeeded in his estates by his son Arthur Beckwith, Esq., of Aldborough, who is also buried in Masham Church. The inscription upon the Brass erected there to the memory of Arthur, will be referred to presently.

next in descent to Huntington Beckwith, of Clint,* where the family had continued from the tenth year of King Henry III., A.D. 1226, until the year 1597, when the aforesaid Roger Beckwith sold his lands in Clint and purchased Aldborough."

"To the memory of Arthur Beckwith† of Aldbrough,

* The Beckwiths were formerly a very numerous race, the main stock of which was settled at a very early period at Clint in the Parish of Ripley. Their moated mansion (which is now in ruins) was situate on an elevated spot opposite to the village of Hampsthwaite, commanding charming prospects of the lower end of the Vale of Nidderdale. There they flourished until about the close of the sixteenth or the beginning of the seventeenth century; but their last days were clouded by misfortunes. The circumstances which occasioned the sale of the old family estate and mansion at Clint, were of a melancholy character. William Beckwith of Clint (who was the father of Huntingdon Beckwith of Clint, mentioned in the above inscription) having succeeded his father in the Clint estate in 1575, married Jane daughter of William Tancred, Esq., of Boroughbridge, sister of his father's second wife. By this incestuous and unholy alliance he had a son, William (who died without issue) and two daughters, Elizabeth and Anne, of whom the latter was twice married, and had issue. Whilst he was serving in Ireland as captain in the army, his wife proved unfaithful to him. In consequence of this painful circumstance, he not only repudiated her and cast her off as his wife, but, during her lifetime, married Mary daughter of Anthony Salmon, of Annesley Woodhouse in Nottinghamshire (chambermaid to the Countess of Huntingdon). By this marriage he had issue, Huntingdon (mentioned in the inscription above), William; Henry, Catherine, and Isabel. His second wife died in 1601, and he lived to survive her but some six years, having died in 1607. His eldest son, Huntingdon, married in his parents' lifetime, viz., on the 19th of February, 1589, Margaret daughter of Thomas Mering, of Mering in Nottinghamshire, who became insane, and, having survived her husband, died without issue, and in great poverty, as appears by a memorandum to that effect placed opposite to the registration of their marriage at Ripley, viz., "in great poverty, at Ripley church, 4th of May, 1655. The family of Beckwith both gone, and Mering."—See Walbran's "Memorials of Fountains Abbey," p. 323.

Roger Beckwith—who is also mentioned in this inscription, and appears to have saved something out of the wreck of the old family estate at Clint, and to have invested it in the purchase of the Aldburgh estate—was of this same family, and was the father of Arthur Beckwith, of whom I shall proceed to speak presently.

† Arthur Beckwith was the son of Roger Beckwith, the purchaser of the Aldborough Estate, who died January 19, 1634. He was a captain in the

Esq., who dyed in the service of his country anno 1642.

“He married Mary, eldest daughter of Sir Marmaduke

Parliamentary army, in which service he was slain in 1642. He married a daughter of Sir Marmaduke Wyvill, as stated in the text. It appears that after his death his widow (who was a Roman Catholic) having persisted in bringing up the children to her own religion to the great mortification of the Beckwith family (who were great puritans) their grandmother (Mrs. Susanna Beckwith) and their uncles (John Anlaby and John Odingsells) petitioned the House of Commons that the custody of Marmaduke, the heir, should be taken from her and committed to them. The influence of the Beckwiths being then great with Parliament, their request was granted, and on the 21st August, 1647, an Ordinance was ordered to be brought in for that purpose.—“Journal of House of Commons,” vol. v. p. 281. The widow having endeavoured to convey the children abroad, so as to defeat the object of the Ordinance, the House, on the 30th January, 1649, again interfered, by directing the Council of State to give such directions in the matter as might be requisite.—Ibid, vol. vi. p. 353. The widow, although defeated in her object, as regards the heir Marmaduke, succeeded in her purposes so far as regards the educating of her second son Roger (who by the death of his elder brother ultimately became the heir) as a Roman Catholic. This last mentioned Roger Beckwith having on the death of his brother succeeded to the estates was created a Baronet by King Charles II., on the 15th April, 1681, just eight days after his second marriage. He committed suicide by shooting himself on the 6th December, 1700, at his father-in-law’s house near to Ripon Minster, at which last mentioned place he was buried. Whilst he was living he gave much trouble here in church matters, and was the cause of the suit of *Batt v. Watkinson* which settled the question as to the validity of the body called the Four and Twenty of the Parish of Masham. He left by his second wife two sons, viz: Roger, his heir (hereinafter mentioned) and Marmaduke, the latter of whom, following the fortunes of the Jennings family, went to America, and was Clerk of the Peace in Virginia. Roger, the eldest son and heir-at-law, having succeeded to the estates and the Baronetcy, was High Sheriff of Yorkshire in the year 1706. On the 10th October, 1705, he married Jane, daughter and sole heiress of Benjamin Waddington, Esq., of Allerton Gledhow, and by her (who died in the year 1713) had two sons, viz: Roger and Edmund (who both died unmarried) and a daughter Jane, who eventually became his heiress, and married Beilby Thompson, Esq. of Micklethwaite Grange. By this marriage she had a daughter, Jane Thompson, who married Peregrine Wentworth, but died ultimately without issue. Sir Roger, like his father, committed suicide by shooting himself with a pistol at Aldborough Hall, in May, 1743, when the Baronetcy became extinct. Soon after his death the Aldburgh estate was sold, and by that means came into the possession of an ancestor of the present owner, John Timothy D’Arcy Hutton, Esq.

Wyvell, Kt. and Bt., by whom he left two sons and three daughters. She dyed in the year-1646, and was buried in the church of St. Clement Danes, London.

“Roger his successor, married two wives, first Elizabeth daughter of Sir Christopher Clapham of Beamsley, Knt., who departed this life the first day of December in the year 1673, and was buried near this place. Secondly, Elizabeth, daughter of Sir Edmund Jennings, Kt., with whom he lyes buried in the Collegiate Church at Ripon.”

“Near this place are deposited the remains of William Beckwith,* Esq., of Lamb-hill, he departed this life June the 5th, 1762, aged sixty-two. Catherine his wife, second daughter of Charles Lister, of Ripon, died January the 25th, 1776, aged sixty, leaving issue Mary, Catherine, Elizabeth, and Dorothy.

“Their youngest daughter caused this tablet to be erected.

“John Beckwith, Esq. of Masham, brother of the above William Beckwith, died December the 14th, 1761, aged fifty-four.”

“In the adjoining vault are deposited the mortal re-

* William Beckwith, of Lamb-hill near Masham, was the son of William Beckwith of Lamb-hill (hereafter mentioned) and was descended from Thomas Beckwith, of Sutton-Grange near Ripon, who died in 1672, and who, with his son Thomas, purchased the Lamb-hill estate on the 7th May, 1656. Thomas Beckwith the son, had a son (William Beckwith of Lamb-hill) who married Dorothy Pickersgill of Mickley (who died on the 3rd Decr. 1745, aged 70, and is buried in the church at Kirkby Malzeard), by whom he had two sons, viz., William Beckwith of Lamb-hill (who married Catherine Lister of Ripon, by whom she had four daughters, viz., Mary, Catherine, Elizabeth, and Dorothy, as stated in the text), and John Beckwith of Masham, and a daughter, Mary, who married John Lonsdale of Masham, the ancestor to the present Bishop of Lichfield.—See *ante*, p. 307.

Samuel Beckwith of Aldbrough, and afterwards of High Burton, second brother of Thomas Beckwith, the son above-mentioned, married a daughter of Rowland Walker of Masham, who was nearly related to the celebrated Dr. Walker, the gallant defender of Londonderry.—Walbran's "Memorials of Fountains Abbey," p. 326.

mains of William Danby, Esquire, late of Swinton Park, in this Parish. He was only son of William Danby and Mary Affleck his wife. Born xxviii. June, MDCCLII. Died iv. December, MDCCCXXXIII. Married first in MDCCLXXV. Caroline Seymour, by whom he had one son William, who died an infant MDCCLXXIX. Secondly in MDCCCXXII. Anne Holwell Gater who survived him without children, and in the affectionate wish to record his virtues erected this monument to his memory.

“The last of the antient family which he adorned by his excellence. He spent his long and active life in the improvement of his patrimony. He erected numerous buildings, he called extensive wastes into cultivation, and constructed the greater part of the mansion in which he passed and ended his peaceful days. He possessed the purest qualities of a Christian philanthropist, benevolent, humble, and forbearing, warm in his attachments, in his manners equal and affable, sincere in all things. His charity knew no stinted limits, for it proceeded from his heart. And while generous in the support of public institutions, above all things he was the patron of the poor. He relieved their wants, he redressed their wrongs, he provided for their education, and thus deserving and acquiring the affection of all around him, he was followed to the grave by their tears. He united considerable natural talents with various and elegant accomplishments, and whilst he devoted much leisure to the study and imitation of eminent writers in many languages, the book which he best loved to study was the great book of nature, wherein he clearly read and with a thankful heart acknowledged the power and goodness of its author.

“Thus endowed with the best gifts and qualities of this world he forgot not the things pertaining to his salvation, and the life of the world to come. And as he descended into the vale of years and drew nearer and nearer to his God, he was enlightened with clearer views of divine love: and amidst the sinkings of decaying nature

he placed his firm though trembling trust in the cross of his Redeemer."

"Sacred to the memory of Caroline, daughter of Henry Seymour, Esq., and wife of William Danby, Esq., who has inscribed this tribute of affectionate remembrance of the many amiable engaging and estimable qualities that distinguished her as a wife, a friend, and a christian. She died at Bristol Hot Wells, March 3rd, 1821, aged sixty-six."

"Sacred to the memory of Mary, Countess Harcourt, widow of Field Marshal William, last Earl Harcourt, and eldest daughter of William Danby, of Swinton, Esq. and Mary, daughter of Gilbert Affleck, of Dalham, in the county of Suffolk, Esq.* Born at Swinton, 12th March, 1748, married first, Thomas Lockhart, Esq., in 1772. Secondly, the Hon. Col. William Harcourt,† in 1778, with whom she lived in greatest harmony and affection for above fifty-two years, and died 14th January, 1833, and was buried at Staunton Harcourt, Oxfordshire.

"Also to the memory of Elizabeth Danby, the only other daughter of the said William and Mary Danby. Born in London 4th September, 1754. Died at Lyons, October, 1786, and was there buried.

* Gilbert Affleck, Esq., was the son of John Affleck, by Neeltice daughter of Gilbert Schape, merchant of Amsterdam. He married Anne the daughter of John Dolben, Esq., by whom he had a family of eighteen children, of whom Mary the wife of William Danby, Esq., of Swinton Park, and the mother of the late William Danby, Esq., and the Countess Harcourt, was the sixteenth child. His son Edward (who was his tenth child) having distinguished himself in the Naval Service (as mentioned *ante*, page 282) was created a Baronet on May 28th, 1782.

† He traced his Pedigree to Bernard, a nobleman of the royal blood of Saxony, who acquired, in 876, when Rollo the Dane made himself master of Normandy, the Lordship of Harcourt, Caileville, and Beauficel, in that Principality. The immediate founder of the family, however, was Simon Harcourt, a lawyer of eminence who became Lord Chancellor of Great Britain, and was elevated to the Peerage on the 3rd of Sept., 1711, by the title of Baron Harcourt. To him succeeded his grandson, Simon Harcourt, who was on the 21st of Decr., 1749, created Earl of Harcourt, from whom the Earldom descended to his grandson, Colonel Harcourt, above-named.

“This tablet is inscribed as a last tribute of affection to his beloved sisters by their only brother William Danby, of Swinton, Park, Esq., now in the eighty-second year of his age. November, 1833.”

“In the middle aisle lie the remains of William Hardecastle,* of Masham, gentleman, who died March 26th,

* William Hardecastle was a solicitor, and practiced at Masham. He was the steward of the Copyhold Court of the Dissolved Prebend of Masham; and, during the time of his stewardship, the Court Rolls of the Manor were burnt, either by accident or design. The consequence of the loss of such Court Rolls was, that much property became lost to the Manor, and has since become freehold. He was brother to John Hardecastle, Esq., of Bedale, Barrister-at-Law, whose pedigree I give below. He married Mercy (daughter of Mr. Richard West of Wakefield) who died at Masham, on the 5th Decr., 1801, aged 76 years. He died on the 26th of March, 1782, aged 62 years, having had the following nine children by his said wife, viz:—I. John, who died in his infancy. II. Richard, who also died in his infancy. III. Thomas, who died without issue. IV. William who also died without issue. V. Mary, who died unmarried. VI. Elizabeth, who died unmarried on the 13th of March, 1830, aged 75. VII. Jane, who died unmarried. VIII. Henrietta, who married John Baines of Masham, surgeon (whom I mention presently). She died on the 22nd of Sep., 1804, aged 43 years, having had a family of children as hereafter mentioned. IX. Charlotte, who married Mr. Smalt, by whom she had issue.

John Hardecastle, Esq., of Bedale, Barrister-at-Law (above-mentioned) married Jane daughter of Gregory Elsley, Esq., of Patrick Brompton, who died on the 2nd, and was buried at Bedale on the 7th of May, 1806, aged 87 years. He died on the 15th, and was buried at Bedale on the 19th of December, 1805, aged 96 years. He had by his said wife an only daughter, Elizabeth, who was baptized at Bedale on the 9th of April, 1747, and was married to Edward Carter, Esq., of Theakston Hall near Bedale, on the 11th of May, 1768. She died on the 13th, and was buried on the 19th of August, 1834, aged 87 years. She had by her said husband the following children:—

I. Jane, who was baptized 3rd July, 1769. She married Roger Martin, solicitor, Bedale, and died at Masham on the 9th of March, 1850, aged 80, without issue.

II. Elizabeth Frances, who was baptized the 23rd of July, 1770. She married Mr. Hardy, surgeon, of Bedale. She died on the 19th of April, 1812, aged 41, leaving by her said husband the following children:—

I. Edward Hardy, formerly of Valparaiso, but late of Fairlawn, near Ripon, now deceased.

1782, and Mary, his wife, who departed this life, December 5th, 1801, leaving two sons, Thomas and William (who died without issue) also five daughters, Mary, Elizabeth, Jane, Henrietta, and Charlotte.

“Elizabeth died at Masham, unmarried, the 13th day of March, 1830, aged seventy-five, and by her will desired

II. John Hardy, who assumed the name of Hardcastle, and died at Masham without issue, on the 29th July, 1856, aged 50.

III. Richard Hardy, now (1863) living at Thorp-Arch.

IV. Mary Hardy, now living (1863) at Thorp-Arch.

III. Harriet, who was baptized on the 12th of March, 1777, and died without issue.

IV. Edward John Carter, Esq., late of Theakston Hall, near Bedale, but now deceased, the father of Edward Carter, Esq., of Theakston Hall, now a Justice of the Peace for the North Riding of Yorkshire.

The Hardcastles were an old and influential family in this and the adjoining parish of Kirkby-Malzeard, as well as in Nidderdale, where they were possessed of considerable landed estates. Before the dissolution of the monasteries they appear to have held intimate relations with the monks of Fountains Abbey. During the Civil Wars they warmly espoused the cause of King Charles, and were made to suffer for it. Accordingly we find that one of their names appears as a sufferer for his loyalty in the “List of such persons from whom the Commissioners for Compositions with Delinquents at Goldsmith’s Hall, have purchased any Revenue for increase of maintenance to the Ministry, allowing for the same proportionably by deduction out of the Fines imposed on them. Published for the use of those whom it may concern, 1648,” as will appear by the following extract:—

“22 Julii, 1647. Wm. Hardcastle, of Larton in the County of York, Gent, to settle the Rectory of Coverham and the Chapel thereto belonging, forever, for which he is to be allowed out of his second payment.”

The name of this same person also appears in “A Catalogue of the Lords, Knights, and Gentlemen that have compounded for their estates,” “Printed for Thomas Dring, at the sign of the George in Fleet-street, near Clifford’s Inne, June, 1655,” as appears by the following extract: “Hardcastle, Will, Larton, York, Gent., £138.”

Notwithstanding the great losses which they sustained by the Civil Wars, the family still retained a considerable amount of family pride. Old Matthew Metcalf, the Parish Clerk at Masham, records in his private Register, under the date of 25th Septr., 1808, the Burial of Miss Hardcastle of Masham, aged 55, as having taken place at 8 o’clock at night by torchlight; and there is a tradition that one of the ladies of this family gave utterance to a wish that there should be a curtain in Heaven to separate the poor from the rich.

this tablet to be erected in affectionate regard to the memory of her parents."

"In memory of John Baines,* surgeon, who died at Masham, the 5th of May, 1821, aged sixty-one years, esteemed and regretted by all who knew him. To considerable skill and experience in his professional capacity he united the most humane attention, and in private life was distinguished by his urbanity and benevolence of disposition.

"And of Henrietta, his wife, the fourth daughter of the late William Hardcastle, Esq., of Masham, who died 22nd of September, 1804, aged forty-three years.

"As a feeble testimony of affection their son and daughter have caused this monument to be erected."

"Sacred to the memory of Samuel Wrather,† who died on the 7th of April, 1806, aged eighty-eight years, also of Elizabeth Wrather, his wife, who died on the 12th of October, 1780, aged forty-four years. Also of their sons and daughters, the Reverend John Wrather,‡ B.A.

* Mr. Baines was a cousin of the late Mr. Edward Baines, the proprietor of the "Leeds Mercury." He carried on for many years an extensive practice as a surgeon at Masham, where he was much respected and had great influence. He married Henrietta (the fourth daughter of the late William Hardcastle of Masham before mentioned), and by her had the following children, viz:—I. Mary, who died in her infancy, the 19th of June, 1799. II. William, who also died in his infancy, the 2nd of August, 1799, aged 13 years. III. Henrietta, who died the 9th of August, 1806, aged 24 years. IV. John, who resided in London, and died there, leaving issue. V. Anna, who, on the 23rd of August, 1810, married (1st), John Lodge Battley, Esq., of Masham (the only son of the late Jeremiah Battley, Esq., of Masham), who died the 19th of May, 1820. She married, secondly, on the 25th of May, 1822, Charles Harrison, Esq., Barrister-at-Law, who on his marriage took the name of Battley, and was M.P. for Beverley, by whom she has left issue. She died the 19th of June, 1863, at Eamonscore Manor House, near Warwick, aged 78.

† Samuel Wrather was Chief Constable for the Division of Hang East, and also carried on the business of woolstapler at Masham. He was blind for many years before he died.

‡ The Rev. John Wrather was a wag and a poet. His verses, especially those on Hackfall, were very much prized by the people of Masham, who

of Trinity College, Cambridge, who died on the 6th of November, 1800, aged twenty-five years. William Wrather, solicitor, who died in London on the 21st of October, 1814, aged thirty-four years. Thomas Wrather,* captain in the 3rd West York Regiment of Militia, who died on the 22nd of July, 1841, aged fifty-nine years. Elizabeth Wrather† who died on the 15th of June, 1853, aged seventy-six years. Samuel Wrather‡ who died on

took great delight in repeating them. The following lines, on Johnny Knubley's Barber's Pole, were, however, to my mind, the best production of his muse:

“The Spiral Pole from far was seen
To tell the world that there
Frail man might lose his lengthen'd beard,
In Johnnie's Elbow-chair;
Their shatter'd heads with age grown hoar,
Or robb'd of hair in vain,
But Johnnie can their loss restore,
And make them young again.”

He was also the composer of the inscriptions put upon the Portrait of the same famous Johnnie Knubley, “drawn and etched from nature by J. C. Ibbotson, 1802,” viz., “Johannes Knubleus, Depilator & Fac totum Celerrimus Celeberrimusque,” and “John Knubley the famous Barber of the old School & Mambrino's last surviving helmet-bearer, Masham, Yorksh.”

* Captain Wrather will be long remembered, as an old and highly respected inhabitant of Masham. He raised from his late father's hack-mare, a small but valuable stud of race-horses, which were destined, after his death, to cut a conspicuous figure on the turf. He did not, however, live long enough to reap the benefit of his labours, by witnessing the successes of the horses which he had thus reared and trained.

† Elizabeth Wrather, by her Will dated the 4th of May, 1853, gave “to the Blind Assylum at York, the Wilberforce Memorial, £100 exempt from the Legacy duty. To the School at Scarbeck Wall, Masham, £100 of my 3¼ per cents funded property, for the education of poor boys from the most destitute families in Masham. I wish this Legacy to remain in the funds. After a certain time the poor children will take their turns of removal to the Free School, and others will be appointed to their places—the Vicar of Masham to have the nomination.” “I leave a Sovereign a year to the Dorcas Society.” I regret, however, to add that, through the supineness of the vicar, this charity is lost to the town.

‡ Samuel Wrather was a commissioned officer in the old Mashamshire Volunteers. Having succeeded to his brother's racing stud, at his death, he had the gratification of winning with his horse “Nutwith,” the St. Leger of 1843, and also several other important stakes with “Miss Lydia,” and “The Maid of Masham.”

the 18th of December, 1854, aged seventy-six years. Mary Wrather* who died on the 14th of March, 1860, aged eighty-six years."

"In memory of the Reverend Joseph Burrill† who died March 1st, 1853, aged eighty-nine years. He was forty-nine years curate‡ of this his native place, and late Rector of Broughton Sulney, Notts. Also of Lucinda his wife, eldest daughter of the late William Wrather of Masham, Esq. She died June 4th, 1839, aged seventy-six years. Their remains lie interred in the church of Broughton Sulney.

" 'Blessed are the dead who die in the Lord.'—*Rev.* xiv., 13."

"Mrs. Marsden,§ of Hanover Terrace, Regent's Park, London, gave the sum of £220, 3 per Cent Consolidated

* By the death of Mary Wrather this branch of the Wrather family became extinct—all her brothers, as well as her sister, having died unmarried.

† The Rev. Joseph Burrill was born at Masham in 1764, and was the only son of the late Joseph Burrill of Masham (who died 23rd of October, 1806, aged 76 years) and Elizabeth his wife, (who died 29th of October, 1810, aged 75 years.) He, on the 20th of June, 1794, married Lucinda, daughter of the late William Wrather of Masham, by whom he had eight children, viz :—I. Charles, who died 20th July, 1802, aged 1 year. II. William, now of Liverpool. III. Joseph, who was a solicitor in Masham, and died suddenly on the 22nd of March, 1830, aged 34 years. IV. John, who, on Sept. 26th, 1826, married Anne daughter of the late James Blackburn of Masham, deceased, by whom he left issue. He died 14th June, 1846, aged 48 years. V. Thomas, who died 11th Sept., 1827, aged 24 years. VI. James. VII. Mary. VIII. Elizabeth, now the widow of the late Rev. William Glaister.

‡ Besides being Curate of Masham, he was also, for very many years the Head Master of the Grammar School at Masham, and the proprietor of a very extensive Boarding School here, which, in its day, was held in very high repute. His predecessor, as Head Master of the Grammar School, was a Mr. Wilson; and his immediate successor in it was Mr. Edmund Barker of Masham; who has been again succeeded by Mr. Henry Stubbs, the present master.

§ Mrs. Marsden was a daughter of the late William Wrather of Masham, and sister to Lucinda the wife of the Rev. Joseph Burrill above mentioned.

Annuities and caused the same to be transferred on the 22nd of February, 1842, to the Reverend Thomas Riddell, vicar of Masham, William Burrill, and John Burrill, Esqrs. In Trust, viz: the interest to be applied annually for the benefit of such poor people of the parish of Masham as the said trustees in their discretion shall think proper. N.B. The vicar of Masham for the time being is always considered as one of the Trustees."

"In the church-yard, on the north side, are deposited the remains of William Morton,* Steward for thirty years to William Danbys, Esquires (Father and Son) of Swinton. He died December 19th, 1798, aged fifty-six. His worth and fidelity are in the memory of those who knew him on earth. His reward we trust is in heaven."

"Sacred to the memory of Major Harcourt Morton, who died on the 4th of June, 1854, aged sixty-eight years.

"Also of Elizabeth Morton, the beloved mother of the above, who died on the 27th of February, 1832, aged eighty-five years.

"To Jane, widow of John Thirkill, Esq., distinguished by unaffected piety, extensive charity, and exemplary patience under very severe sufferings, this Tablet is placed by her affectionate godson as a memorial of his gratitude and of her christian virtues.

"Born at Masham, Sep. 27th, 1782. Died in London, July 27th, 1812.

* He married Elizabeth — (who died 27th Feb., 1832, aged 85 years), by whom he had five children, viz:—I. William, his successor in the stewardship, but afterwards became steward to the late Mrs. Lawrence and the Earl de Grey, successively. He married Louisa daughter of the late Richard Strangways, Esq., of Well, by whom he left issue. II. George, who was a solicitor. III. Harcourt, who was a major in the army, and was wounded in the Peninsular War. He died 4th June, 1854, aged 68, without issue. IV. Mary, who, on the 23rd of Nov., 1810, married Mr. Charles Pickslay of Sheffield, and had issue. V. Martha, who died 23rd February, 1862, unmarried.

"She bequeathed One hundred Pounds towards the insitution of a Female Union Society in this Parish."

"Sacred to the memory of John Lodge Battley, Esq., who died the 19th of May, 1820, aged fifty-six years.

"To rescue from oblivion his departed worth there needs no inscriptive Tablet, since it is indelibly engraven on the hearts of all who knew him. For filial piety and attention, for the most perfect urbanity of manners, and those various qualities of the head and heart, which make men estimable, he was conspicuous. He was at once the christian, the scholar, and the gentleman, and a most affectionate and tender husband.

"His Widow has caused this memorial to be placed as a tribute of her respect and gratitude."

"In memory of John Harrison, Esq., formerly Purser in the Royal Navy, who died at Masham, June 19th, 1808, aged seventy-four.

"A man much esteemed both in his public station, and in his retirement; respected by the honourable for his integrity; courted by the social for his vivacity and information, and much sought after by the sick and needy for his active benevolence.

"Also of Phillis Harrison, his sister, who died April 23rd, 1800, aged sixty-eight.

"This monument is erected by Grace, the wife of Samuel Broomhead Ward, Esq., of Mount Pleasant, near Sheffield, and daughter of the late Thos. Martindale, of Masham, gent., who died May 14th, 1789, aged seventy-four, as a small tribute of gratitude to a relative who was a kind friend and a benefactor to her and her family."

"John Lonsdale* of Masham, who departed this life ye 18 of Feb., 1703, æ.... ". Mutilated.

"Mary the wife of Mr. John Lonsdale† of Masham,

* He was the great-grandfather of the present Bishop of Lichfield.

† She was the grandmother of the present Bishop of Lichfield.

and Daughter of Mr. William Beckwith, late of Lambhill, buried Sep'b'r 20th, 1739, aged 36 years. Also Mary her Daughter, buried June 20th, 1740, aged 4 years.

"Mr. John Lonsdale* was here also interred May 1st, 1784, aged 82."

"Here lyeth the body of Arthur Marshall of Masham, who died the 28th of Feb., 1689.

*Is mihi erat conjux dum vita manebat
Quem spero superas nunc habitare domus.—M. M."*

"Here lieth the body of William Hardcastle of Masham, who departed this life the 31st of March, 1782, aged 68 years. Also the bodies of John and Richard, his sons, who died in their youth. Also near this place lie the body of Mr. Richard West of Wakefield, who departed this life December the 3rd, 1768, aged 71 years."

"Here lieth the body of Mrs. Mercy Hardcastle, widow of Mr. Willm. Hardcastle, and daughter of Mr. Richd. West of Wakefield, who departed this life Decr. 7, 1801, aged 76 years."

"Here lieth interred the body of Mary Relict of Thomas Johnson late of Mickley, Gent. She departed this life the 9th of July, 1716, aged 80 years. Near this place also lye the body of John their youngest son. He departed this life the 22nd of November, 1729, aged 23 years."

"Beneath this stone are interred the remains of Dorothy, daughter of the late John Bowes of Bedale, surgeon. She departed this life the 3rd day of April, 1814, aged 49 years. Also the remains of Mary Relict of the

* He was the grandfather of the present Bishop of Lichfield.

said John Bowes. She died Novr. 4th, 1814, in the 84th year of her age.”*

“Sacred to the memory of Elizabeth the daughter of the late John and Mary Bowes of Bedale. She departed this life June 22d, 1821, aged 56 years. Also of Cecilia Bowes, who died Novr. 12th, 1841, aged 73 years.”

“Sacred to the memory of Anne, widow of the late Revd. Robt. Wilson, A.B., of Newcastle-upon-Tyne, and Daughter of the late John and Mary Bowes of Bedale. She departed this life June 3rd, 1845, aged 78.”

‘I know that my Redeemer liveth.’—Job 19 ch., 25 vr.”

“Here lies the body of Benjamin Severs, of Masham, who departed this life Feb. 8th, 1782, aged sixty-seven years.

“His known character needs no encomiums.

“Here also lies the remains of Isabel, wife of the above named Benjamin Severs, who died after a life spent in the practice of every Christian virtue, on the 22nd day of September, 1802, aged eighty-four years.”

“Here lies the body of Mary, the wife of William Horsman, of Ilton, who departed this life June the 9th, Anno Domini 1767, in the thirty-fifth year of her age.

“Also interred here the body of William Horsman, of Ilton, who departed this life July the 26th, 1791, aged seventy-six years.

All you that behold my Stone
Ah! think how quickly I was gone.
Death does not always warning give,
Therefore be careful how you live.”

* John Bowes and Dorothy his wife, here mentioned, were the grandfather and grandmother of the two Misses Wilson, now residing in Park-street, Masham; and the Rev. Robt. Wilson, B.A., and Anne his wife, mentioned in the next inscription, were the father and mother of the same ladies.

“[Simon] Bartlett, of Nutwith Cote, who departed this life — day of February, A.D. 1680. Also his son John Bartlett, who died October ye 18th, 1680.”

“Here lieth the body of John Bartlett,* of Nutwith Cote, Esq., who died December the 15th, 1769, aged sixty-three years. Also the body of John Ascough, Esq., nephew and heir to the said John Bartlett, who died February the 4th, 1774, aged thirty years.”

“Erected in affectionate remembrance of Charlotte Marian, the beloved Wife of John Fisher the younger, of Masham, who departed this life Nov. XXVII., A.D. M.DCCCLVIII., aged XLII. years, leaving her afflicted husband and nine children to deplore her loss.†

“And of her two children, viz:—William Richard and John William, who both died in her lifetime, and in their infancy.

“‘Them that sleep in Jesus will God bring with him.’—1 Thes. iv., xiv.”

The foregoing are, I believe, all the monumental Inscriptions which can now be seen in the interior of Masham Church. There have been many others, but they have either been destroyed or are now become illegible, or have been hid from sight by the present stalls.

There are in the churchyard great numbers of Grave-stones, dating from the year 1691 down to the present time—the great majority of which are, in point of design and workmanship, really execrable, and but few of them are even tolerable, and as such are well calculated to give to a stranger a very unfavourable impression as to the state of “mason-craft” in the parish. Bad, however, as the gravestones themselves are, the inscriptions placed upon many of them are still worse, and are equally calculated to impress a stranger with the notion, that, so far as this parish is concerned, “the schoolmaster

* He is the person mentioned *ante*, page 287.

† She was the wife of the author of these pages.

is abroad." On one gravestone a very plain old country farmer is made to address his "wife and children dear," in the following doggerel:

"Mourn not my wife and children dear,
I am not dead but sleepeth here,
My debts *is* paid, my grave you see,
Stay but awhile then follow me."

On another gravestone (which is placed over the grave of a well-known old ringer in our Masham belfry) will be found the following inscription, which, although better than the other in point of composition, is open to severe criticism on account of the very flippant way in which it treats the very serious subject of Death.

"Here lies an old ringer, beneath the cold clay;
Who has rung many peals both to serious and gay;
Thro' grandsires and triples with ease he could range,
Till Death call'd his Bob, and brought round his last Change."

And on another gravestone (which is placed over the grave of a person who was hanged at York Castle for having attempted to murder his wife's father by firing a loaded gun at him with the intent to murder him, in order that he might succeed his father-in-law in the tenancy of his farm) will be found the following Inscription, surmounted by an open book, on the one page of which are inscribed the words "Memento mori," and on the opposite page, the translation of those words, viz: "Remember Death."

"My friends read this, and shed no tears,
I must lay here 'till Christ appears,
And at his coming hope to have
A joyful rising from the Grave."

God forbid that I should seek to deny, even to a murderer, the hope of a joyful rising from the grave at the great day of the Resurrection, knowing as I well do, the story of the thief upon the cross, still I must say that, under the circumstances, it would have been much bet-

ter taste to have remained silent upon the subject. It must be admitted, however, that it is a too common error amongst us thus to express, in strong terms such as these, a confidence and assurance of a joyful Resurrection, as our own grave-yard, as well as our own experiences, will abundantly testify. It is needless, however, to point out other instances such as these, especially as the doing so might give pain to surviving relatives.*

Before taking leave of this disagreeable subject, I take the liberty of stating that it is time that steps should be taken to put a check to the erection of such inappropriate, unsightly, and otherwise objectionable monuments in our churchyard as have hitherto disfigured it. There is a remedy for it, and why not apply it? No person has any right to erect a monument, or even a gravestone, either in the church or churchyard, without first obtaining the sanction of the Vicar for so doing; and it would not be an unreasonable request on the Vicar's part, for him to require before giving such leave, to be furnished with a plan of the proposed monument or gravestone, and a copy of the inscription intended to be put upon it. The adoption of such a course of proceeding, as here indicated, will not only put a stop to the

* Faulty as many of the inscriptions are in our own churchyard, they are not by any means worse than many which are to be found in other neighbouring churchyards, as the following precious specimen recently put up in the churchyard at Tanfield will shew:

"In memory of Dorothy the eldest daughter of the respectable the late Thomas and Dorothy Barugh of Burniston, passed through the gaities of youth into the favour of her choice, and became the worthy wife for 15 years of earthly eminence, then entered the shade of the bereft widow, the sacred relict of the late William Horsman, farmer, of West Tanfield. She followed her honoured husband and all their eight children to the tomb, lived a life of liberality, pious friendships, and important events, and died in hope of Heaven, in the centre of every interest, weeping relatives, and friends, on the 2nd day of March, 1853, Æ 81 years.

Here the mortal lies,
Till summon'd to rise
By the Trumpet's awakening call.
Then will she be found
With Saints to surround
The Throne of the great Judge of all."

evil, but will in all probability, at no very distant day, save the Vicar from having to discharge a most unpleasant duty, in causing an objectionable gravestone to be removed from the grave-yard, as has but recently happened to another clergyman elsewhere.

In the North side of the churchyard is a gravestone bearing the following inscription upon it, viz :

“Here lie the remains of Julius Cæsar Ibbetson,* an artist eminent for his taste and skill in painting Rustic figures, cattle, and Rural Scenery. He died Octr. 13th, 1817, aged 58.

“This humble memorial was erected by the affection of his widow.

“Here also rest the remains of John Batley Ibbetson, youngest son of Julius Cæsar Ibbetson, who died Novr. 21st, 1821, aged 6 years.”

And not far distant from the above, and on the same

* Pilkington in his “Dictionary of Painters,” says, that Ibbotson was a native of Masham, and that he was liberally educated and studied painting for amusement, but rose to such eminence that his landscapes were eagerly sought for by collectors of the first rank. He is, however, in error in saying that Ibbotson was a native of Masham, for he was born at Scarborough in 1759, and was originally a ship-painter, as stated by Rose in his “Biographical Dictionary.” Ibbotson, having attracted the attention of the late William Danby, Esq., of Swinton Park, was induced to settle down at Masham, where he spent the greatest portion of his life and ended his days, under the kind patronage and fostering care of that worthy gentleman. It is quite true, as stated by Pilkington, that he rose to great eminence, so much so that he was very appropriately called by Mr. West the “Berghem” of England, and his Pictures sold at high prices. Ibbotson, however, like too many other men of genius, was very improvident, and was, consequently, always poor and in pecuniary difficulties. He was a good, sociable, and kind-hearted man, and was very much respected. Many very amusing anecdotes respecting him have often been told by the old inhabitants of Masham. As to his pictures, his cattle are touched with great spirit, and those in which they constitute a principal feature, are by far the best of his productions. Several specimens of his work may be seen at Swinton Park. He also painted some historical pictures, and was the author of a work called “An Accidence or Gamut of Oil Painting for beginners,” which was published in 1805.

side of the Church, is a plain recumbent gravestone, to the memory of a brother artist, on which is the following inscription :

“George Cuitt,* Artist, died 15th July, 1854, aged 74.

“His memory lives in his works and in the hearts of his friends.”

* Mr. Cuitt was born at Richmond in Yorkshire, in 1779. His father was an artist of considerable eminence, who studied at Rome as a portrait painter, but on his return to England devoted himself to landscape painting—a branch of the profession more congenial to his taste, and which he pursued for many years with great success, in portraying, with admirable fidelity, the scenery of his native county.

Under his father's tuition young Cuitt displayed early talent, and his sketches from nature evinced from the first a degree of that originality and force which distinguished his later works. In 1804 an opening presented itself in Chester, where he took up his abode, and for some years pursued his profession as a master with unremitting assiduity and eminent success. His talent for imparting instruction to others, and the urbanity of his manners, rendered him most popular in the sphere he had chosen, and those of his pupils yet living remember his kindly tuition with affectionate regard and respect.

Talents, however, such as his, were not to be confined to the drudgery of teaching. Etching, and the transfer of his original drawings to the copper-plate, became the engrossing subject of his more arduous study, and in the picturesque buildings of the quaint old City, which was his residence, he found ample material for the exercise of his pencil. His father had brought from Rome a very complete collection of Piranesi's magnificent works; these he adopted as his models, on which he certainly formed his style, and the influence of which—notwithstanding their own inherent originality—may be traced in all his future works. He published at intervals several numbers of very original and powerful etchings, entitled “Old Buildings in Chester.” These were succeeded by his “Castles in Wales,” in which perhaps his admiration for Piranesi led him too far into mannerism, a defect which detracts from the merits they otherwise undoubtedly possess.

In the year 1820 a severe illness obliged him to relinquish his duties as a teacher, and having realised a moderate independence, he left Chester, and returning to his native county, settled here at Masham, where he spent the remainder of his days. The leisure he here enjoyed enabled him to bring to full maturity his powers as an artist, and especially as an etcher, and his succeeding works accordingly display a power of design and execution far surpassing his previous efforts. It was here he produced his “Abbeys of Yorkshire,” all of which may be esteemed unrivalled as etchings—combining such poetry of conception, force of light and shade, and fidelity in the details, as render them not less valuable to the archæologist, than they are

And near to the vestry is the vault belonging to the Batley family, on which is the following inscription :

“The earthly remains of Mary the wife of Jeremiah Batley of Masham, Esquire, are underneath deposited, who died August 8th, 1810, aged 72 years: She was of the name and family of Harrison of Sutton-house near Seaford in the county of Sussex, and one of the last surviving relatives of the late Sir William Thomas, of Folkington House, in the said county, Baronet.

“In the same grave also rests the body of the said Jeremiah Batley, formerly of Bull Close, near Halifax, who after a happy union with his said beloved wife of nearly fifty years died honoured and respected for his talents and virtues, October 29th, 1810, aged eighty-two years.

“Under this tomb lies interred the body of John Lodge Batley, of Masham, Esq. (to whose memory a tablet is erected in the church). He was the only son of Jeremiah Batley, Esq., and Mary his wife, and died May 19th, 1820, aged fifty-six years.”

And on the west end of the churchyard is the vault belonging to the Bolland's of Masham upon which are the following inscriptions, viz :

charming to artistic taste. Among these the principal are “Fountains Abbey,” “Kirkstall,” “Rievaulx,” in separate numbers of six in each number, which were succeeded by “Bolton,” “York,” “Byland,” and “Kirkham.”

Besides these etchings on a large scale, he published a number of most exquisite little vignettes of landscape subjects, in which, released from the trammels of architectural portraiture, he seemed to enjoy greater freedom, and certainly produced works of art which vie with, if they do not surpass, his more ambitious efforts.

After a life passed in the successful pursuit of art—in the cultivation of refined tastes—amid a select circle of chosen friends, who alone had power at times to draw him from a seclusion, which his natural disposition and the domestic happiness he enjoyed in it, rendered, if anything, too engrossing. Mr. Cuitt was attacked by a short but severe illness, to which his vital powers succumbed. He died on the 15th of July, 1854, leaving no family, but a widow, who still lives to lament her irreparable loss.

"Near this spot rest the mortal remains of John Bolland, of Masham, gent: also of Margaret his wife, and of six of their children. He was for many years a respected inhabitant of the town of Masham, and having survived his wife eight years he died A.D. 1776, aged sixty-one."*

"Sacred to the memory of Joseph Bolland,† of Masham, Esqr., son of John Bolland, gent, and Margaret his wife. After having been actively engaged in the City of London for more than forty years in the anxious occupation of commerce, he retired to his native

* The Bolland family originally came from out of Craven, and were not by any means blessed with an over-abundance of wealth when they first planted themselves in this parish. By plodding industry, however, combined with a frugal course of living such as is seldom to be met with in these days, they not only soon acquired for themselves competent fortunes, but established themselves as persons of the first position in the place. John Bolland, here mentioned, followed the business of a shopkeeper—embracing, as was common at that time, both the grocery and the drapery businesses. He left several children, viz.—I. John, who ultimately became an extensive and opulent merchant in London, and had a seat in the House of Commons. He married and had a son, William, who became a distinguished lawyer, and had an extensive and lucrative practice at the Old Bailey in London. He was raised to the Judicial Bench as one of the Barons of the Court of Exchequer in 1829, when he was knighted; and also a daughter, Sophia, who became the wife of the Right Rev. John Lonsdale, D.D., Lord Bishop of Lichfield, as mentioned *ante*, p. 307. II. Henry, who on the 10th Decr., 1803, was married at Masham church, to Mrs. Fielder (a daughter of the late Thomas Martindale, Esq., of Masham) who died without issue on the 28th June, 1805, aged 34 years. He survived her many years, and resided at Haregill Lodge. He took a very prominent part in all parish matters, and also held a commission as an officer in the old Mashamshire Volunteers. He died without issue. III. Roger, who lived many years in Masham after he retired from business as a grocer, &c., and died there unmarried. IV. Joseph, of whom I speak presently. V. Miss Bolland, who resided at Masham, and lived to a great age, but died there unmarried.

† Joseph Bolland, here mentioned, was the son of John Bolland, mentioned in the previous note. After having retired from business, he took up his residence at Masham. On the 17th April, 1823, he was married at Masham church to Miss Dyne. He died without issue, and his widow subsequently married James Taylor Wray, Esq., late of Cliff-lodge near Leyburn, whom she also survived many years.

town to pass the remainder of his life, and died sincerely lamented on the 6th day of July, 1827, aged sixty-eight.

“The widow of Joseph Bolland caused this tomb to be erected as a tribute of affection to a kind husband, of the most benevolent disposition and endearing manners.”

The Register Books belonging to Masham Church commence in the year 1599, and have been pretty accurately kept from that period down to the present time. The earliest Book is in a very dilapidated state so far as regards the binding, but the whole of the leaves appear to have been preserved. A large portion of the Register was, some years ago, neatly re-copied by the late Rev. Joseph Burrill, at the expense of the parish. There are not, that I am aware of, any remarkable entries in our Parish Register, or at any rate any which call for any special remark, unless the following entries may be considered such; viz:

“Marriages, 1707. Audburgh. William Wray, aged eighty-two years, and Margory Geldart of the same, aged seventy-two, married by John Read, curate, the 15th day of April.”

“Marriages, 1723. Leonard Pybus, of Ilton, and Sythe Horner, of Masham, were married by banns published. The woman, to prevent the creditors coming on her new married husband for the debts contracted by the former husband had nothing to cover her nakedness during the solemnizing of the wedding but her shirt. June 24, 1723.”*

* There was formerly a very common, but a very erroneous, notion in this as well as in many other parishes throughout England, that if a man married a woman *en chemisette*, he was not liable for her debts.—See “Book of Days,” vol. i., p. 259. A similar entry to this is to be found in the Register Book of a small village in Wilts, which is as follows: “John Bridmore and Anne Sellwood, both of Chiltern All Saints were married October 17th, 1714. The aforesaid Anne Sellwood was married in her smock, without

This last entry, which discloses a strange "Shift" to get rid of a legal obligation, does not by any means reflect any credit, either upon the parties concerned, or the clergyman who was so simple as to deface the Register by making such a ridiculous entry in it, to say nothing as to his permitting such a disgusting exhibition to be enacted in the church. Neither does it say much for the intelligence of the parish at this period. We know, however, from other sources, that, not only at this time, but long afterwards, great ignorance, not unmixed with an incredible amount of superstition, very much prevailed throughout the parish, and that ghosts and hobgoblins were as plentiful in it as blackberries, so that there was scarcely a nook or corner in the parish which was not "haunted" by its own special ghost or boggle. The "Marfield Boggle," "Jinny Greensleeves," of High Burton, "Sir Roger Beckwith's" ghost, of Aldborough Hall, and "The Woman without a head," at the Dykes-hill, have indeed only taken their departure from the parish within the period of my own recollection.

The churchwardens' accounts, together with the minutes of the proceedings of the Four and Twenty exist in unbroken succession from a period shortly after the Restoration (1661) down to the present time. A book of much earlier date than this was also in existence some years ago, and was last seen at Swinton Park. That book is said to have contained much very valuable and

any clothes or head-gear on." (See 6th vol. of "Notes and Queries," p. 485.) See also the subject discussed in the 3rd vol. of Brand's "Popular Antiquities," Ed. Ellis (1842) page 205, where it is said "When a man designs to marry a woman who is in debt, if he take her from the hands of the priest clothed only in her shift, it is supposed that he will not be liable to her engagements." It appears that this "vulgar error" was also prevalent at Cottenham, in Cambridgeshire, at but a very recent date (6 "Notes and Queries," p. 561) as well as at Kirton in Lindsey and at Ulcomb in Kent (7 "Notes and Queries," p. 17). Indeed I am informed that the same error was repeated in our own parish (but with a greater regard to decency) so late as the 10th November, 1810, on the occasion of the marriage of Matthew Carter and Hannah Ascough.

interesting matter as regards the ancient rights and usages of the parish, and especially of the Four and Twenty. It appeared by it that formerly the Four and Twenty had the sole charge and superintendence of the poor of the whole parish, and that the cost of the whole of the poor of this wide and extensive parish then averaged but £5 a year—a sum which contrasts very strikingly with the present cost of the poor in any single township within the parish, and still more in the whole eight townships of which this parish consists.* Townships, however, as we now know them, did not exist at that day, but only came into existence after the passing of the Act, 13 and 14 Charles II., cap. 12 (A.D. 1662) and by its operation. Previous therefore to the passing of this act, the poor of the whole parish were necessarily placed under the care of the churchwardens of the parish at large, assisted by Overseers of the Poor, appointed also for the parish at large under the 43rd Eliz. cap. 2, and it seems by the entries in the missing book before alluded to, that the churchwardens and overseers of the poor of the parish, acted under the control and superintendence of the Four and Twenty of the parish. By the splitting up of the parish into townships as before mentioned, not only the churchwardens but the Four and Twenty ceased to have any further power over the management of the poor in the several townships, and as a consequence of it the churchwardens' accounts

* The following is an account of the cost of the Poor to the Township of Masham for one year, ending 28th Sept., 1863.

	£	s.	d.
In maintenance	29	11	0 $\frac{3}{4}$
Out Relief	230	2	1
Extra Medical Fees	1	0	0
Vaccination Fees	12	7	6
Registration Fees	4	3	6
Funeral Fees	2	18	3
Salaries of Officers and other common charges	97	9	0

Total cost for one year .. £377 11 4 $\frac{3}{4}$

ceased from that time to include any account of the monies expended upon the poor.

The oldest Book now forthcoming, containing the churchwardens' accounts, and the minutes of the proceedings of the Four and Twenty, being subsequent in point of date to the division of the Parish into Townships, does not throw any light upon the subject of the cost, and management of the poor. It does, however, contain many curious and interesting entries as regards the management and care of the fabric of the church, and on other church matters, especially of the several steps taken by the Four and Twenty towards putting the church into a proper state of repair, and "rebeautifying" it, after its passing out of the hands of the Puritans on the restoration of King Charles II. I have already in the course of this work given several extracts from this Book, in the way of elucidating the past history of the church (which I need not repeat here); but there are many other entries in it worthy of noting. I shall content myself however by merely adding the following, viz:

	£	s.	d.
"1688. For charges with two Limners w'ch came to see the church	0	3	8
Paid to Mr. Brackenbury for his two time cominge when			
the church should have been butyfyed, and charges ..	0	10	6
For a Whipe and a Bell for the Saxton	0	1	4
"July the 6th, 1686. Rec'd then of Arthur Marshall and Marmad. Kinge of the towne of Massam, and Churchwardens of the Parish, the sum of Eight Pounds and four shillings and ninepence, collected from the Briefe for the reliefe of the French Protestants. I say rec'd by me, JO. WELD, Vicar of Massam."			
"1688. P'd for the Saxton new Gowne	1	7	0
"1694. P'd for a new Gown for the Saxtton.. ..	1	4	8
"1738. P'd John Wardrop for making Saxton Coat & Britches..	0	3	6
"1743. Gave to Jno. Wheatley, Lost his substance by Fire ..	0	1	6

I gather from this Minute Book that in the year 1727, the grave and sapient body, the Four and Twenty of Masham, was much agitated by the discussion of the very important and stirring subject, whether a new Dial

(which they had agreed to purchase at a great cost) should be put up in the inside, or the outside of the church. Great diversity of opinion appears to have existed upon the subject, and accordingly several meetings were held upon it, and doubtless much liquor drank by them at the expense of the parish, before they were enabled to solve the knotty point. They did, however, ultimately come to a decision upon the matter, and they recorded it in their Minute Book by the following minute, which I here give *verbatim et literatim*, viz:

“Aug’st ye 13th, 1727. Mem’d’m. It is this day agreed att a Vestrey legelley held, by a majority of Votes, that a new Diall shall be putt up on ye insid of ye church and not on ye out.”

Thus it will be seen that these wiseacres, forgetful of the fact that, for a dial to be of any service, it must be placed in a situation where the sun can shine upon its gnomon or hand, and thus cast its shadow upon the dial-plate, so as to mark the hour of the day, actually determined by a majority, not merely that the dial should be placed in the inside of the church (where the sun could *not* shine upon it) but that it should not be put up on the outside of the church, where the sun could shine upon it, and thus mark the time of the day. It is but charitable to suppose that this Resolution had been come to by them at a late hour of one of their sittings, after their brains had been strangely obfuscated by the swallowing of large potations of liquor (which they were then in the habit of taking on these occasions) and by the fumes of tobacco.

With these extracts I close my account of the history of the Church, and shall now proceed to describe the constitution and powers of the ancient body called “The Four and Twenty of the Parish of Masham,” in whom is now vested the government and regulation of the Church, so far at least as regards civil or non-ecclesiastical matters.

THE FOUR AND TWENTY OF THE PARISH OF MASHAM.

This ancient body is a Select Vestry, and bases its origin on prescription and immemorial usage. How long it has existed, in fact, is not known, but, in presumption of law at least, it must have existed from the first year of the reign of King Richard I. According to an old book belonging to the parish, which contained the accounts and the minutes of the proceedings of this body (but which book is now lost or mislaid) the Four and Twenty was not only in existence some time previous to the passing of the Act 13 and 14 Charles II., cap. 12, A.D. 1662 (by virtue of which act the parish was for the first time divided into Townships as they now exist) but that it had imposed upon it the sole charge and ordering of the poor throughout the whole parish, as well as other duties. It is also incidentally mentioned in an entry in the Parish Register, under the date of April, 1652, hereinbefore referred to (*ante*, page 334) as then in existence, and assuming to itself the power of assigning the Vicarage of Masham over to the Nonconforming minister, Mr. Anthony Prockter, in the place of the Rev. Benjamin Browne, the rightful Vicar of the parish who was then put out of his living. The next mention of this body is in the Report of the case *Batt and others, Churchwardens of the Parish of Masham, against Watkinson*, which was decided in the year 1690, to which I shall presently refer. Before doing so, and in order to make the matter more intelligible, I may mention that, during the Commonwealth, and the consequent supremacy of the Roundheads or Puritans, the fabric of our Church had not only been despoiled, but had been permitted to run into decay, so much so that at the Restoration in 1661, it stood in great need of extensive repar-

ations, and consequently required a large outlay of money upon it. Accordingly, we find that in, or previous to, the year 1680, a large sum of money was expended upon it by Thomas Batt, John Smorthwaite, and John Pickard, the Churchwardens for the Parish of Masham for that year.

These gentlemen, having expended their money upon the Church, naturally introduced these expenses in their account as churchwardens for the current year of their office, viz: the year 1680, and having done so, submitted their accounts to, and got them allowed and passed by, the Four and Twenty. So far all was well, but there happened to exist in the parish a very awkward customer, in the person of Sir Roger Beckwith, Bart., of Aldborough Hall. This gentleman, as we have already seen, was brought up by his mother (a Wyvill) as a Roman Catholic, but afterwards, on proving himself to be a bad Romanist, became a worse Protestant, and accordingly, like the rest of his family, turned Puritan. Being a Puritan, it is needless to say, that he had no sympathy with the restorations which were then going on in the Church, and accordingly objected to the expense of them, and sought to get them disallowed. Besides being a Puritan, as I have already stated, he appears to have been a person possessed of an ill-balanced mind, having one fine morning taken it into his head to blow his own brains out with a pistol. Sir Roger, therefore, cited the churchwardens to appear and produce their accounts before Henry Watkinson, LL.D., the Judge of the Dean and Chapter's Court at York. The churchwardens, accordingly, and in obedience to the citation, appeared before that learned functionary, but at the same time refused to produce their accounts to him, alleging as their reason, the existence within the parish of the ancient body called the Four and Twenty, and that it had been the custom in the parish from time immemorial for the churchwardens to produce their annual accounts to, and to get them allowed by, the Four and

Twenty, and that on such accounts being so passed and allowed by that body, they (the churchwardens) were, by such custom, exonerated from producing them to any other person whatever, and further that they, the churchwardens, had already submitted their accounts to the Four and Twenty, and had got them allowed by them according to the ancient custom, which had thus prevailed in the parish. The learned Judge of the Ecclesiastical Court having over-ruled these objections of the churchwardens of Masham, decreed that they (the churchwardens) should produce their accounts as required by Sir Roger. This decision, although evidently erroneous, imposed upon the churchwardens the necessity of either producing the accounts as decreed, or of contesting the matter further, by applying to a Court of Common Law by Writ of Prohibition to restrain the Judge of the Ecclesiastical Court from proceeding further in the matter. The churchwardens chose the latter alternative, and the result will be seen by a perusal of the following report of the case as reported in the second volume of Lutwiche's Reports, page 1027.

PROHIBITION

Batt and others Churchwardens of the Parish of Massam v. Watkinson.

Michaelmas Term, 2 Wm. & Mary, A.D. 1690.

Suggestion to have a prohibition to the spiritual court at York.

That the parish of Masham is an ancient parish.

MEMORANDUM that on the 28th Nov. in that term, came hither into Court Thomas Batt of the Parish of Massam in the county of York, John Smorthwaite of the same parish, and John Pickard of the same parish, late Wardens of the Parish Church of Massam aforesaid, by Robert Waring their attorney, and gave the court here to understand and be informed that whereas the said parish of Massam is an ancient parish, and that there are within the

That there have
been 24 chief
Parishioners.

That on the
death of one of
them the residue
have elected an-
other in his room

That in the
Parish there is a
custom, &c.

That the said 24
for the time
being have made
Rates, &c.

said parish and that from time of which the memory of man is not to the contrary there have been Twenty Four of the more fit and able parishioners who are called, and during the whole time aforesaid were called the Four and Twenty. And thro' all the time aforesaid as often as any one of the aforesaid 24 parishioners died* the residue of the aforesaid 24 parishioners surviving chose, and thro' all the time aforesaid were wont to choose one other fit and able parishioner of the said parish to be one of the aforesaid 24 parishioners, in room of the like parishioner so deceased. And that within the said parish there is, and from time of which the memory of man is not to the contrary has been a custom namely, that the said 24 parishioners called the Four and Twenty for the time being from the aforesaid time of which the memory of man is not to the contrary, were used and accustomed as often as it was necessary to make rates and to assess reasonable sums of money on the parishioners and inhabitants of the said parish for the time being, for and towards the reparation of the nave and aisles of the Parish Church of Massam aforesaid, and of the bells, and for other things fitting and becoming in and about the said church to be used and expended.†

* It has also been the custom as far back as can be traced, that whenever any one of the Four and Twenty ceased to reside in the parish, or resigned his office as a member of the Four and Twenty, for the residue of the Four and Twenty to choose and appoint another person in his place. With this correction, the custom here stated has been regularly acted upon and followed up to the present time, as the Minute Book of the Four and Twenty (which dates from a period earlier even than this decision) will shew.

† The Four and Twenty still continue to make rates in the manner and for the purposes here stated.

That the Wardens of the said church from time immemorial have received all dues, &c. for burials in the body or aisles of the said church

And that the wardens of the said church for the time being, from all time aforesaid, have received and have used, and were accustomed to receive all dues and sums of money due or payable for Burials in the body or aisles of the said church,* and if any parishioner or inhabitant of the said parish refused to pay any rate assessed upon him, or any sum of money due or payable by him for Burials as aforesaid, then the churchwardens for the time being, by warrant made by the said 24 parishioners called the Four and Twenty for the time being to such churchwardens on that behalf, distrained and were used and accustomed to distrain,† within the parish aforesaid, the goods and chattels of such parishioner so refusing for such Rates assessed upon

* It appears by the churchwardens' accounts that they have been, and are still, accustomed to receive a Fee on a Burial in the nave or aisle of the church, and that they have given the parish credit for such receipts in their annual accounts. My first impression was that the churchwardens were not justified in laying claim to such a Fee, as, if due at all, it was due to the Vicar, in whom the soil and freehold of the church is vested by law, and who alone has the power to give leave to bury in the church.—See 2 Cro. 367; Id. 237; and Noy. 104. Further reflection, however, upon the subject, has led me to modify this opinion. Dr. Burn, in the 1st vol. of his "Ecclesiastical Law," p. 187 (1st edit.) says, that the churchwardens by custom may have a fee for every burial within the church, by reason that the parish is at the charge of repairing the floor, citing Wats., c. 39, as his authority. If, therefore, the churchwardens lay claim to the fee merely as a compensation for the damage done to the floor of the church, and not as a consideration for leave to bury in it, I now think that they may be justified in asserting their claim to it as stated in the text.

† The oldest inhabitant now living cannot remember a single instance of such a distress being ever made, and no trace of such a distress being made can be found, either in the Minute Book of the Four and Twenty, or in the churchwardens' accounts. On the contrary, it appears by the Act Book of the Peculiar Court of Masham, that church rates have, in a great number of instances, been sued for in the Ecclesiastical Court, precisely in the same way as in other parishes. If, therefore, the right to distrain ever existed, as stated in the text, it is now lost by non-user.

him or for money due or payable for Burials as aforesaid.

And that the said 24 with consent of the vicar or curate have used to repair the body and aisles.

And that the churchwardens from time immemorial have given their accounts to the said 24, &c.

And that on such account the churchwardens have always been discharged from any account.

And that the said 24 called the Four and Twenty for the time being, from all time aforesaid, with consent of the Vicar or Curate of the said church for the time being, were used and accustomed to repair or cause to be repaired,* the body and aisles of the said church, and the churchwardens for the time being, from all time aforesaid, paid and used to pay all sums of money to such reparation of the body and aisles of the said church, and when the churchwardens for the time being from all time aforesaid gave and rendered and used to give and render to the said Four and Twenty their accompt of all sums of money by such churchwardens for the time being received and expended in their office, the said 24 parishioners called the Four and Twenty from time to time from all time aforesaid allowed or disallowed such accompt of the churchwardens for the time being according as it seemed to them to be expedient. And upon such accompt by such churchwardens so made, and by the said 24 parishioners allowed, those wardens were immediately exonerated and from all time aforesaid were wont to be exonerated from making or rendering any account elsewhere.† And where-

* The Four and Twenty have been, and still are, accustomed to order and direct the necessary repairs to be done in the nave or aisle of the church as stated in the text. They have, also, always claimed the right to make alterations in, or additions to, the church, without applying to the Ordinary for a Faculty to enable them to do so, and it will be further seen *ante*, p. 371, that they claim to have, and to exercise, the same rights as the Ordinary in other parishes has a right to do.

† The present practice is according to the custom as here stated, and appears to have been constantly acted upon from a period antecedent to the date of this decision.

That the Plaintiffs were churchwardens for the year 1680 and after that year they gave their account to the
24.

as the same Thomas Batt, John Smorthwaite, and John Pickard, were Wardens of the said Parish Church of Masham for the year 1680, and after that year ended in the said parish of Masham gave and rendered then to the 24 parishioners of Masham aforesaid called the Four and Twenty a full and just accompt of the money by them received and expended in their office aforesaid which accompt the said 24 Parishioners then and there allowed.

That all pleas concerning Prescriptions and customs ought to be determined at Common law.

And whereas all and singular the pleas and matters touching or concerning any such prescription or custom within this realm of England specially belong and pertain to our Lord the King and our Lady the Queen now and to their royal crown, and by the law of the land of this realm of England ought to be tried and determined in a Court of Record of our Lord the King and our Lady the Queen, now and (not) before any ecclesiastical or spiritual Judges, and always hitherto ought and used so to be. Yet a certain Henry Watkinson, LL.D., commissary or auditor of causes of the venerable the Dean and Chapter of the Cathedral and Metropolitan Church of St. Peter at York, not being ignorant of all and singular the premises, contriving unduly to aggrieve, oppress, and harrass the said Thomas Batt, John Smorthwaite, and John Pickard, against the custom aforesaid and the law of the land of this realm of England, and to draw the judgment of a plea which specially belongs and appertains to the King and Queen now and to their royal crown, to another examination in a Court Christian, has caused to be cited the said Thomas, John Smorthwaite, and John Pickard, into a Court Christian before the said

Yet the Defendant has drawn them into the Spiritual Court.

To give an account, &c. before him.

Judge, *ex-officio suo*, on the information of Sir Roger Beckwith, Baronet, to appear before the said Spiritual Judge, to exhibit and pass the accompt of money received and laid out in their office of churchwardens aforesaid. And the same Spiritual Judge has unjustly bound over the said Thomas, John Smorthwaite, and John Pickard, to appear in the said Court Christian before himself as Judge, and to answer to the same spiritual Judge of and concerning the premises. And although the said Thomas, John Smorthwaite, and John Pickard, pleaded all and singular the premises aforesaid for their exoneration from the said matter imposed on them in the same Court Christian before the said Judge, and frequently offered to prove them with inevitable truth. Yet the same spiritual Judge hath wholly refused to admit or receive their allegation or proof, and threatens that the said Thomas, John Smorthwaite, and John Pickard, shall be condemned of and concerning the premises in contempt of the said Lord the King and Lady the Queen, now and to the manifest loss, prejudice, and grievance of the same Thomas, John Smorthwaite, and John Pickard. And this the same Thomas, John Smorthwaite, and John Pickard, are ready to verify. Wherefore the same Thomas, John Smorthwaite, and John Pickard imploring the aid and bounty of our Lord the King and our Lady the Queen, pray for a Prohibition to be directed to the aforesaid spiritual Judge of the said Court Christian or to any other competent Judge whatsoever, in this behalf to prohibit him from holding any further plea before him touching the premises in any way, &c.

On great debate of this case at several times, the Court was of opinion that the aforesaid custom was good and reasonable, and Prohibition was absolutely granted."

It will be seen by the foregoing report that the churchwardens were successful in their litigation, and that the Judge of the Ecclesiastical Court was prohibited from proceeding further in compelling them to account before him. The effect of this decision was to establish the authority of the Four and Twenty as a Select Vestry by prescription or immemorial usage, for it will be seen that the existence of the immemorial usage, as alleged, was not even attempted to be denied, and the Court, assuming that the usage as alleged had so existed from time immemorial, decided that such a custom as was here set up by the churchwardens, was a good and reasonable custom, and therefore gave effect to it by granting the Prohibition as prayed. Thus it will be seen that there can be no question as to the legality or authority of the body called the Four and Twenty, as a select vestry by immemorial usage.

The class of persons qualified to be members of the Four and Twenty, are "the more fit and able parishioners," that is, persons resident in the parish, and they are required to be elected, whenever vacancies occur in the body, by the remainder of the existing members then constituting it; and when so elected they remain members of the body for life, or until they quit the parish, or resign.

The powers of the Four and Twenty embrace all the powers and authorities which can be, and commonly are, exercised by ordinary Parish Vestries, such as exist in ordinary parishes, and also some other powers and authorities which are not possessed by such last mentioned Vestries. Amongst these powers and authorities may be mentioned, the right to fill up vacancies in their own body as often as vacancies may occur—their power to

make rates for the reparation of the body and aisles of the church, and for other things fitting and becoming in and about the Church to be used and expended—to repair, or cause to be repaired, with the consent of the Vicar or Curate, the body and aisles of the Church, the expenses of which are to be paid by the churchwardens—to receive the accounts of the churchwardens of all sums of money by them received and expended in their office, and to allow or disallow such accounts according as it should seem to them expedient, and to exonerate the churchwardens from making and rendering any account elsewhere. Besides possessing the powers above alluded to, they annually appoint three out of the four churchwardens (the Vicar appointing the fourth churchwarden)—they assume to themselves the entire direction, superintendence, and control, over the fabric of the Church, and of the churchwardens in the discharge of the duties of their office—and they also claim the right by immemorial usage, “of ordering with regard to the erecting of pews, and of authorising anything to be done relative to such matters, in like manner as in other parishes the Bishop or Ordinary has a right to do.”—[See entry in Minute Book of the Four and Twenty under date of 1765].—Also the right to erect pews or seats in the Church, and of appropriating the said seats to particular persons or families, in like manner as the Ordinary in other parishes has a right to do.—[See entry in the Minute Book of the Four and Twenty, under date of Dec. 1st, 1832].—Also the right from time to time to appoint to the office of Sexton, and to remove him from his office when and as they shall think fit—and lastly, they claim to represent in all Parish affairs the whole body of the Parish, and to have the direction and ordering of all matters belonging to the Church, and as oft as any part of the Church, or any utensils belonging to it are wanted either repairing or ornamenting, or any material thing is wanted to be done, to give orders concerning such matters from time to time as they may

think proper, and that such orders should be executed by the churchwardens.—[See a statement to this effect in the Copy Case submitted by the Four and Twenty to Mr. Johnson, Recorder of York, for his opinion* thereon entered in the Minute Book of the Four and Twenty, under date of 21 Octr., 1765.]

Such is the constitution of the body called the Four and Twenty, and the powers exercised or claimed by the members of that body. I have already had occasion in the course of this work, to allude to these powers, and to discuss the question whether they could successfully maintain them if contested: it is needless therefore repeating them here.

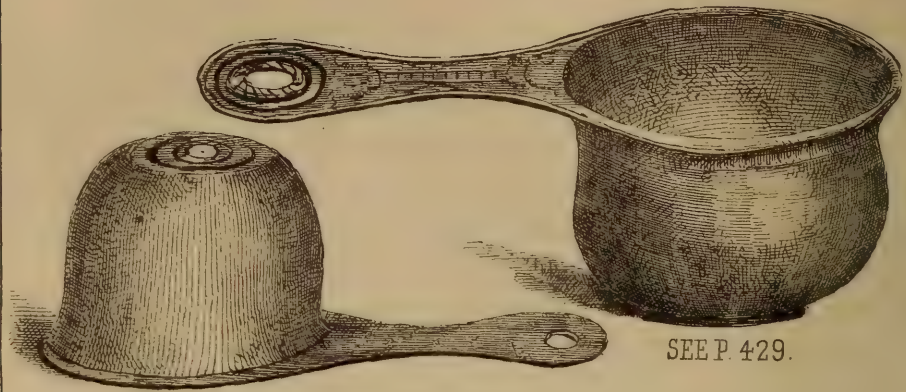
* Mr. Peter Johnson in his opinion upon the case here alluded to, says, "I am of opinion that the Select Vestry of Four and Twenty inhabitants within the Parish of Masham, being grounded upon custom, and that custom having been held good and reasonable in the case of *Batt v. Watkinson*, referred to in the case, the Four and Twenty have the same power within the Parish, to judge and order what they think necessary or proper to be done in the Church as the Parishioners at large have in any Parish where there is not a Select Vestry; and as the acts and orders of the majority of the parishioners at large, duly assembled upon the usual public notice given in the Church, will bind the Parish in the latter case, so the majority of the Select Vestry, duly assembled upon the like notice, will equally bind in the former."

REMAINS OF ANTIQUITY FOUND WITHIN THE PARISH.

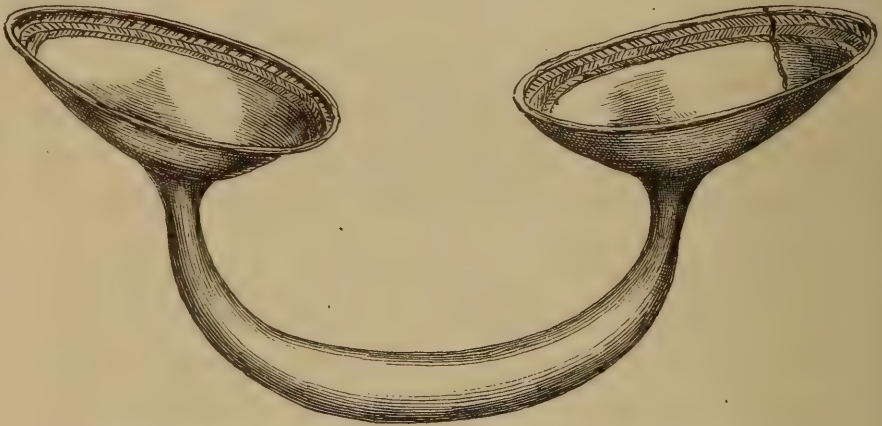
It is a matter much to be regretted that the remains of antiquity, which have been from time to time discovered within the Parish, have been (with but few exceptions) so little cared for, and so ill preserved, as they have hitherto been. Considering that, many years ago, the late William Danby, Esq., formed a Museum at Swinton Park, one would have expected that such articles as were found within the Parish would have found their way into that valuable depository, and have been thus preserved for the benefit and instruction of the inhabitants, but this, unfortunately, has not been the case; and the same observation will apply, but with still greater force, to the Museum which was established some six years ago in connection with the "Riddell Memorial Mechanics' Institute," at Masham, for I believe that not a single article of interest connected with the Parish has as yet been added to that Museum, although some of the gentlemen having the charge of it and its interests, have found means of obtaining and adding to their own private collections, many articles which would have been valuable acquisitions to that Museum—a selfishness which cannot be too much condemned, since it is well known that the small private collections of individuals are but of very little, if any, value to the public at large, besides having the disadvantage of being always liable to be dispersed on the death, or the change of residence or alteration in the circumstances, of the owners of such small private collections—a result which cannot occur in the case of a public museum like that at the Mechanics' Institute.

Many articles possessing antiquarian interest have been lost to the Parish, owing no doubt to the finders of

TO FACE PAGE 425.



SEE P. 429.



BRONZE PATELLÆ FOUND AT ROUND-HILL, NEAR
MASHAM; AND A GOLDEN ARMLET. DUG
UP IN SWINTON PARK.



GARGOYLE
FOUND IN MASHAM CHURCH.



SMALL HAND-BELL
FOUND IN MASHAM CHURCH.

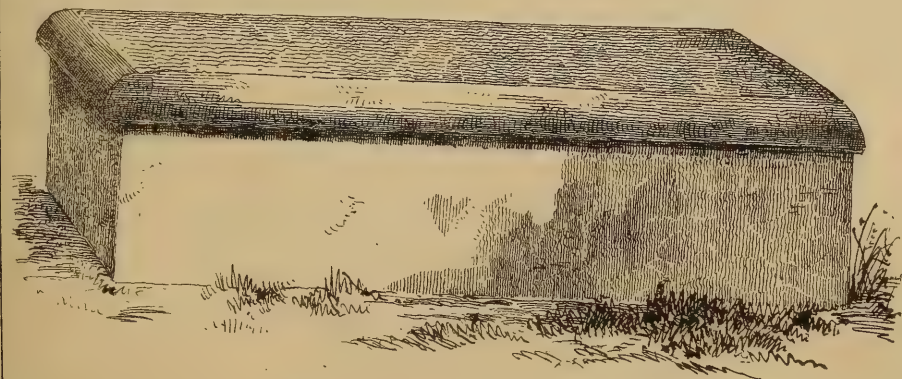
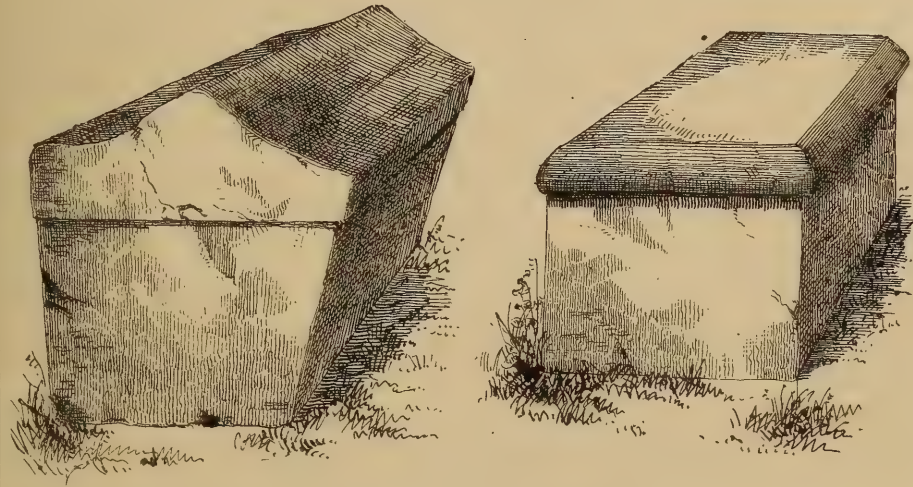
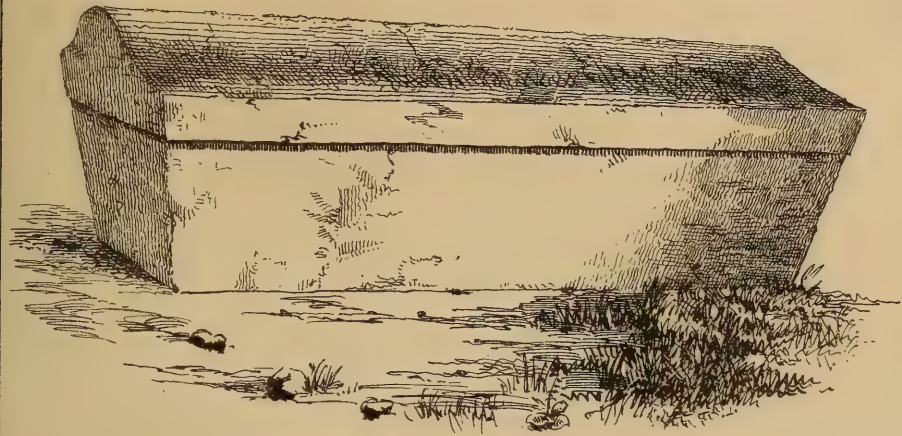
them not knowing the value of them, whilst others have been lost to it by their getting into the hands of small private collectors, and being afterwards dispersed or disposed of, in the manner above mentioned. I trust, however, for the credit of the parish, and especially of those having the management and direction of the museum connected with the Mechanics' Institute, that for the future a different course of conduct will be pursued.

Having made these few prefatory remarks with a view to secure the future preservation of articles of local antiquarian interest which may hereafter be found, I now proceed to notice a few such articles as have been found and preserved.

The first article which I shall mention is a very remarkable gold ornament, supposed to be connected with the early British, or Druidical, era of this country, which was discovered in the year 1815, in forming the sunk fence which is opposite to the Porter's Lodge, or the entrance to Swinton Park, and within two feet of the surface of the ground. In the *Archæological Institute*, York, 1846, page 5, it is thus described: "It bears much resemblance to one type of the Irish 'Ring money' as designated by Sir Wm. Betham (*Transactions of the Royal Irish Academy*, vol. xvii.) By some antiquaries these singular objects have been termed Armlets: it is more probable that they might serve as fastenings of the mantle or other garment, or, possibly, they were ornaments of a sacred or mystic nature. The weight of this specimen is 5 ounces 3 drachms and 10 grains. A gold ornament of analagous description, was found in Scotland in 1731, deposited in an urn (*Archæologia*, vol. ii., pl. iii., *Reliq. Galaenae*, p. 280). Another was found in 1773, near the Lizard Point, Cornwall; and two (of which one weighed 9 ounces and 10 pennyweights) were discovered near Ripon in 1780, as stated in Gough's *Additions to Camden*, vol. iv., p. 231. No example of the precise type found at Swinton Park has been noticed as discovered in England."

The discovery of this gold ornament is also referred to in the 6th vol. of the *Archæological Journal*, page 61, in an article by Albert Way, entitled, "On ancient armillæ of gold recently found," in which it was stated that it was most kindly communicated from the Swinton Park Museum by desire of Mrs. Danby Harcourt through Mr. Charles Tucker. I regret, however, to add that even this interesting relic is not now forthcoming, but is supposed to have been stolen from the museum at Swinton Park.

I next proceed to notice two Sepulchral Stone Cists which were discovered in the years 1835, and 1836, by some workmen employed in obtaining gravel at the gravel-pit in the Marfield, near to Mr. Kendall's waterworks, and the land called "The Nunneries" or "Nunners' fields"; and also some vessels of Bronze found in 1845, at Round-hill, and supposed to belong to the Roman period of the history of the parish. They are thus described by Charles Tucker, Esq. (a gentleman well known not only to the people of Masham, on account of his connection with the Swinton Park estates, but also to the antiquarian world by his valuable contributions to the science of Archæology) in the 6th vol. of the *Archæological Journal*, page 41: "At the monthly meeting of the Institute in December last [1848] there were exhibited drawings of two remarkable Stone Cists or Coffins, of considerable antiquity, now preserved in the pleasure-grounds at Swinton Park, Yorkshire. No. 1, was discovered in the year 1835, by workmen who were digging gravel from an extensive ridge or hill, of that material, lying about 200 yards distant from the right bank of the river Eure, in the parish of Masham, Yorkshire. The ridge is raised 10 or 12 feet above the level of the adjacent soil in an extensive open field called Mar or Mere-field, and is now grown over with brushwood, forming a kind of shaw. There is no historical tradition connected with the actual spot, but about 2 miles lower down the stream is a rocky ford known as



TWO SEPULCHRAL STONE CISTS, FOUND IN THE MAR-FIELD NEAR
MASHAM, A.D. 1835, AND A.D. 1836.

‘Mowbray-Wath,’ and near to this it is said a great battle was fought with the Danes. The stone of this Cist is not that of the neighbouring Quarries of Ellington-Firth, but apparently the coarse grained sandstone of Agra-moor and Colsterdale, about 7 miles distant to the westward. The lid was unfortunately split across the centre by the workpeople before they were aware of their nature, and it was placed about 2 feet from the surface of the ridge, and contained the greater portion of the bones of a human skeleton, but no remains of any other kind: many of the bones crumbled to dust on exposure to the atmosphere; others, with the skull, were less decayed, and were stated by a surgeon [Dr. Dalgliesh of Masham] who examined them, to be apparently those of a female. The workmanship of the Cist is rude, and totally devoid of any kind of ornament or inscription. The measurements are as follows: length at the bottom or ground line, 6 feet 3 inches; length at junction with the lid, 6 feet 9 inches; width at the bottom, 2 feet; width at junction with lid, 2 feet 6 inches; thickness of lid at centre, 1 foot 4 inches; thickness of lid at the edge, $10\frac{1}{2}$ inches; thickness of sides of Cist, 6 inches; height of Cist from ground (without lid) 2 feet; depth of cavity, 1 foot 6 inches.

“In the following year (1836) the Cist No. 2 was discovered by the labourers whilst pursuing their occupation of digging gravel in the same ridge, and a few yards further northward than the position of the former. It is formed of the same kind of stone, but is more rude in shape and workmanship, and was entirely empty. The dimensions nearly correspond with those of the Cist already described. Length, 6 feet 6 inches; width, 2 feet 3 inches; height, 1 foot 8 inches; thickness of the lid, 7 inches. The lid is a flat stone with a chamfered edge, and it projects slightly over the sides of the Cist, and rather more over the ends. For their better care and preservation both Cists were removed to [and are still to be seen at] the Pleasure Grounds at Swinton Park.

Similar stone Cists, some of which are ornamented or bear inscriptions, discovered in the neighbourhood of York, are preserved in the Museum of the Philosophical Society in that City.

“The discovery of the second Coffin in the same ridge or hill of gravel, leads rather to the supposition that—instead of its having been a bank of gravel formed by the subsidence of the stream, as had been generally supposed—the mound, although in the lapse of ages it has lost its shape, may have been originally raised by man as a tumulus, in which to entomb the Coffins—the adjacent bed of the river affording an abundant supply of materials.

“It is evident from the shape of the cavities in these Cists, and from the bones found in one of them, that cremation of the dead was not the practice of the people who formed these interesting relics; they seem, however, to belong to a period about coeval with the Roman occupation of Britain,* or immediately subsequent to the departure of that people. The rudeness of formation clearly proves that they do not belong to a time when it was the practice to ornament with sculpture the depositories of the dead.

*The Rev. C. Wellbeloved, in his “Eboracum, or York under the Romans,” says, “In the disposal of the dead, two methods have most generally prevailed: I. The burial of the entire body: II. The burial of the ashes after the body has been burned. . . . The Romans derived the greater part of their funeral rites from the Greeks, so that, generally speaking, what is said of one people will be applicable to the other also. Interment, or the depositing of the whole body in the ground, was the method of disposing of the dead first adopted by the Romans; and it was also the last. Cremation, or burning, was intermediate.” Mr. Wright too, in his “The Celt, the Roman, and the Saxon,” says “We learn from the ancient writers that it was the earlier practice of the Romans to bury the body of their dead entire, and that it was not till the time of the dictator Sylla, that the custom of burning the dead was established. From this time either usage continued to be adopted, at the will of the individual, or of the family of the deceased; but in the second century of the Christian era the older practice is said to have become again more fashionable than that of cremation, and from this time it gradually superseded it.” Mr. Wellbeloved also says, “The road

“An ancient road which enters the County of York at Piers-bridge over the Tees, has been distinctly traced to Cataractonium [now Thornborough] near the present Catterick-bridge, and from thence to Kilgram-bridge over the Eure or Yore, and from whence to a place called ‘Roman-ridge,’ near Ripon, the line passes by the boundaries of the Mar or Mere-field before-mentioned, to the westward of the town of Masham, and to the eastward of the small Oval Camp in Swinton Park, and of the large Square Camp adjoining Nutwith Common. From the Roman-ridge the line becomes less distinct, but seems to take the direction of the Camp on the How-hill, about 4 miles from Ripon and 9 from Isurium [Aldborough near Boroughbridge], and after crossing the river Nidd to the westward of Ripley, joins the Watling-street about midway in its course from Isurium to Olicana [Ilkley], situate on the Wharfe.

“It may be observed that British remains have been discovered at Swinton Park: a representation of a very remarkable gold ornament there found is given in this number of the Journal, plate 60. Roman Vessels of bronze were found in 1845, at Round-hill in Arnagill, about 6 miles to the westward, immediately under the great range of the western high moors. Two of these vessels, patellæ of bronze, from the Swinton Museum, were exhibited at York in the Museum formed during the meeting of the Institute in that City, and we are now enabled to give representations of them. The metal is of a superior kind, and the workmanship sharp and good. The large number of similar patellæ found at Pompeii, and now in the Museo Borbonica at Naples, favours the opinion that they were probably used for

side was the place most commonly appropriated to the burial of the dead; so that they who passed by might be reminded of their own mortality, and the memory of the dead might be continually revived, and the longer preserved.” This practice of burying the dead on the road side will account for the place where these two stone Cists were found, which was on the side of the Roman road which formerly passed through the Marfield, as stated in the text.

culinary purposes, rather than sacrificial, as had been suggested from the fact of a thyrsus being engraved on the handle of the larger vessel, as shown by the accompanying representations of these ancient vessels."

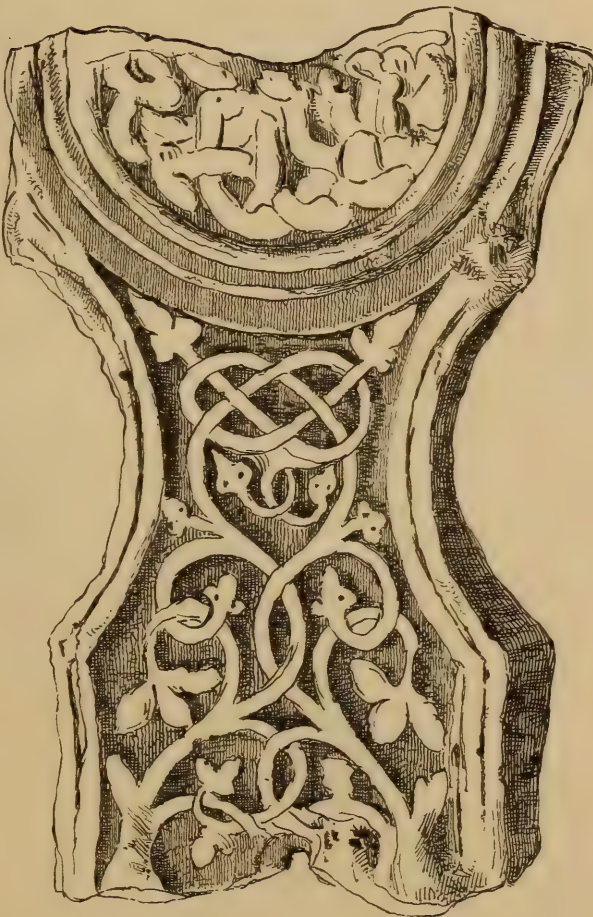
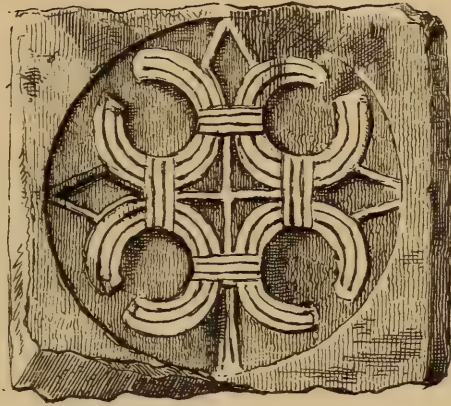
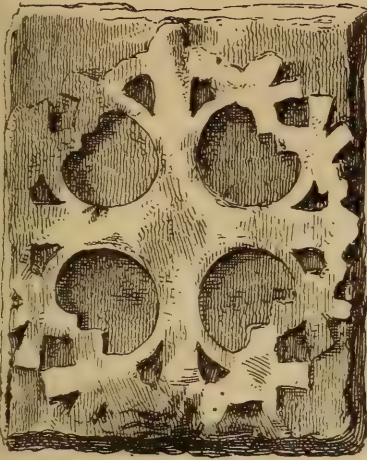
Besides the two sepulchral stone Cists before described, there was another stone Cist of a similar description discovered many years ago in digging on Cockpit-hill, or the Little Market-place, in Masham. Unfortunately, however, it was reburied somewhere near to the spot in which it was originally found, and no description of it is preserved except by tradition.

There was also, some years ago, preserved in the Museum at Swinton Park, a Roman Battle-axe, which was said to have been found within this parish, but this also has disappeared. It is said that a late gamekeeper upon the estate, who had no reverence for ancient relics, but possessed an utilitarian turn of mind, conceiving that this battle-axe would, by the aid of a country blacksmith, make him an excellent instrument for the destruction of vermin, appropriated it, and had it converted accordingly.

Roman Tiles, and Stones of Roman workmanship, have also at different times been discovered in the parish, but have not been preserved.

Having already (*ante*, pages 39 to 42) referred to the Roman Roads which intersect the parish, and the Roman Camps which are to be found in it, I need not further allude to them here.

The next species of remains of antiquity found in the parish, which I have to notice, are those which belong to the Saxon era. The most important of these is the frustrum of the Church Cross now standing in the churchyard, and used as the pedestal to the dial, as already mentioned (*ante*, page 310, where an engraving of it will be found); and hardly less important are two sepulchral crosses of Saxon workmanship, which were brought to light in the course of the restorations of the Church, drawings of which are here given.



SEPULCHRAL CROSSES FOUND IN MASHAM CHURCH.
THE LOWER ONE BEING OF SAXON WORKMANSHIP

After the Saxon remains of antiquity, just mentioned, the Norman Tower, and western Doorway, of the Church next claim our attention, as remarkably characteristic of the style of architecture which prevailed immediately after the Norman Conquest. A drawing of the Norman Doorway just mentioned is here presented.

It now only remains for me to notice several sepulchral crosses belonging to the mediæval era of the history of this country, which were brought to light during the late restorations of the Church. They are of different dates, and vary considerably in design, as will be seen on reference to the several drawings of them which are here given.

CHARITIES.

THE GRAMMAR AND FREE SCHOOLS.—These schools were originally founded out of the proceeds of the following bequests for educational purposes within the parish, viz: £100 bequeathed by the will of Isabel Beckwith of Well, spinster, dated the 14th June, 1735, to be laid out in the purchase of lands, for the benefit of a Free School at Masham, for teaching five such poor boys and finding them books, in such manner as the Four and Twenty of the Parish of Masham should from time to time think proper, always preferring such boy and boys as should be of the name of Beckwith. £520 bequeathed by the will and codicil of Oswald Coates of Newcastle-upon-Tyne (but previously of High Burton near Masham) officer of excise, dated the 25th Feb., 1748, to trustees, towards the founding and supporting of a Free or Charity School, in the town of Masham, for the instruction of twenty boys and ten girls, the children of the poorest inhabitants within the vicarage of Masham, in reading English, and in writing and arithmetic. As to £20 of this sum, the interest thereof was to be applied in the finding and providing a certain number of Bibles in each year, with the New Testament and Common Prayer therein, one of which to be given to every poor child upon his or her removal from or leaving the school. £200 bequeathed by the will of Ann Danby, spinster, dated the 23rd June, 1755, to the Charity School for poor children in the town of Masham; and £225 given in money by William Danby, Esq., in 1760, together with a yearly Rent-charge of £10 issuing out of lands at Hutton Long Villiers, and a school-house and cottage built by him for the benefit of the school. With these sums of money were purchased certain Rent-charges, amounting to £18 2s. 4d. yearly, issuing out

of lands in Swaledale, and also a cottage and garth at Ravensworth; also a Rent-charge of £3 10s. yearly, issuing out of lands in Grewelthorpe; also certain lands at Galphay. The property thus acquired was vested in trustees (all of whom are long since dead) for the benefit of the charity, and the trusts of such charity were declared by an indenture of bargain and sale (enrolled in Chancery) dated the 26th day of June, 1760, made between William Danby, Esq., of Swinton, John Hardcastle, Esq., of Bedale, and the Rev. Edward Moises, of Kirkby Malzeard (Vicar of Masham) and William Hardcastle, of Masham, gentleman, of the one part, and John Wrather of Masham, gentleman, of the other part. By this deed, it was declared that the establishment should consist of a head master who should take on him the instruction of the children of the town and Parish of Masham, in such learning as might be wanted and desired, but at the expense of their parents; and that he should also have the overseeing of the children to be taught free, as directed by the foregoing wills: and also of an assistant master to give gratuitous instruction to the thirty-five poor children of Masham required by the wills of Oswald Coates, and Isabel Beckwith, to be taught free.

It appears by the report of the Commissioners appointed to enquire into the Public Charities (dated 30th June, 1821) that the Rev. Joseph Burrill, the head master of the school, was then in the receipt of £51 14s. per annum (less £2 5s., for repairs and bibles) of this endowment over and above what he received from the parents of the children, whilst Mr. Matthew Metcalf, the master of the Charity School, was in the receipt of £24 12s. 4d. per annum, for the teaching of the thirty-five children required to be taught gratuitously.

The head master, and the master of the Charity School, continued in the receipt of the sums above mentioned from this time down to the time when the Rev. George Waddington became Vicar of Masham, when

that gentleman, upon investigating the matter, considerably reduced the amount of the head master's share of the endowment, and increased that of the master of the Charity School, by the amount thus taken away from the head master.

The Charity School was afterwards turned into a National School, and was placed under the care of a certificated teacher, and the limit as to the number of scholars to be taught in it gratuitously was taken away.

By a scheme—which was approved of and allowed by the Court of Chancery, on the 10th December 1856—the management and government of both the Grammar School, and the Free (or Charity) School, and the appointment and dismissal of the schoolmasters thereof respectively, was committed to a body of trustees, consisting of the Vicar of Masham, the Lord or Lady of the Manor of Masham, and the four churchwardens of the Parish of Masham for the time being, together with Timothy Hutton, Esq., of Clifton Castle (since deceased); John Timothy D'Arcy Hutton, Esq., of Aldborough Hall; William Margaret Dalglish, M.D. (who has since resigned, and is no longer a trustee); and myself.

By the scheme before alluded to, the annual rents of the land at Galphay, Laverton, and Fearby-moor,* the cottage in Masham, and the annual rent-charge of £10. issuing out of lands at Hutton Long Villiers, belonging to the charity, are directed to be applied to the use of the head master of the Grammar School, after deducting thereout, annually, the sum of 30s. towards a fund for keeping the buildings upon the Charity property belonging to both the schools in repair, and the further sum of 15s. for the purchase of bibles for the use of the scholars belonging to the Free School. And the annual rents of the cottage and garth at Ravensworth, and the annual rent-charges issuing out of lands in Swaledale,

* The land at Fearby-moor was allotted to the school by the Inclosure Commissioners, on the inclosure of Fearby-moor.

and Grewelthorpe respectively, as also the dividends payable on the £232 2s. 6d.,* then, and now invested in the $3\frac{1}{2}$ per cent. consols, also belonging to the Charity, should be applied to the use of the master of the Free School.

The Grammar School is declared by the above scheme "to be open to the children of all resident inhabitants of the Parish of Masham," and that the instructions to be afforded in it, are, to be in the principles of the Christian religion, the Greek, Latin, and French languages, mathematics, algebra, arithmetic, general English literature and composition, sacred and profane history, geography, reading, writing, and also such other languages, arts, and sciences, as to the trustees may seem expedient, and so as to give the boys a sound, moral, religious, and liberal education—and the head master is not to charge for head-money for such instruction, any greater sum, or sums, than shall be allowed of, and approved by, the trustees.†

THE FREE SCHOOL is also declared by the above scheme, to be "open to the children of all resident inhabitants of the Parish of Masham, between the ages of 7 and 16 years, who shall be able to read words of one syllable, and shall apply to the master of the said Free School for admission according to the order of such applications"—preference, however, is to be given as to five of such applicants to children of the name of "Beckwith".—And that the secular instruction at the Free

* See *ante* page 182, as to the manner in which the Free School became possessed of this sum.

† It will be observed that the head master of the Grammar School is not required, in return for his endowment, to teach any children gratuitously; the endowment is given to him, as expressed in the Deed of Endowment of 1760, "as an encouragement for a person of learning, and other endowments, to settle at Masham, and to take on him the instruction of the children of the town and parish of Masham, in such learning as might be wanted and desired."

School is to comprise reading, writing, spelling, English grammar, arithmetic, and such subjects of general and useful knowledge as may from time to time be directed, or authorized, by the Committee of Council on Education. The religious instruction is to comprise the bible, and bible history, and the Church catechism, and is to be consonant with the principles and doctrines of the Church of England—and the head-money to be paid by each scholar attending the Free School is not to exceed two-pence, weekly.

The School House now used for the Grammar School was built on its first foundation by William Danby, Esq., of Swinton Park, but was afterwards much improved by the late Admiral O. V. Harcourt.

The School House belonging to the Free School, was also originally built by William Danby, Esq., but was afterwards pulled down, and re-built, by Mrs. Danby Harcourt in 1834 (then the widow of the late William Danby, Esq.) and has since been considerably enlarged, and improved, at her expense.—Additional rooms have also been lately built to it, in order to accommodate a school for girls, in which they are taught needlework, and also the scholars belonging to the Infant school recently established in connection with the Free School.

The total income of the head master of the Grammar School as derived from the rents, &c., of the property with which his school is endowed, is £44 14s. a year—And that of the master of the Free School, as derived from the rents, &c., of the property with which his school is endowed, is £36 5s. 8d., a year. This last mentioned sum is, however, considerably increased by the children's pence, the annual subscriptions of the trustees and subscribers to the Free School, and by the grants annually made to it by the Committee of Council on Education.

THE KELLBANK SCHOOL was founded and endowed somewhere between the years 1820, and 1822, under the circumstances and in the manner mentioned in the reci-

tals of the Deed of Endowment presently mentioned.—By an Indenture of bargain and sale, (enrolled in Chancery) bearing date the 19th Oct. 1822, made between William Danby, Esq., of Swinton Park, of the one part, and the Rev. Joseph Burrill, therein described, as “resident minister of the Parish church of Masham” of the other part; after reciting, that William Heslington, * of Masham, gentleman, being desirous to make some provision for the instruction of the children of the poor inhabitants of the Parish of Masham, did in or about the year 1820, advance and pay to the said William Danby the sum of £450, which he requested and directed the said William Danby to lay out in such manner as he thought fit, in or towards the erection of a school-house, and other buildings, upon lands belonging to the said William Danby, situate at Healey; and reciting, that the said William Danby had in compliance with such request laid out and expended the said sum of £450, together with other monies of his own, in erecting a school-house, dwelling-house, stable, cow-house, and other buildings, upon the lands of him, the said William Danby, situate at Healey : and reciting, that the said William Danby, being desirous to promote and encourage the design of the said William Heslington, had determined to found,

* Mr. Heslington was in early life a shopkeeper in Masham, carrying on the business of a grocer, draper, spirit merchant, and general dealer;—he also speculated heavily in the public funds, by which he acquired a considerable fortune, with which he retired into private life, being succeeded in his business by the late Thomas Durham (the maternal grandfather of Mr. James Carter, who now carries on business upon the same premises). The reason which prompted Mr. Heslington to this act of liberality, as expressed by himself, was the pain which he felt on account of the great want of education which then prevailed throughout the parish, and even amongst such as were then termed respectable farmers, few of whom could then write. He married, first, Mary, the daughter of the late Mr. John Wrather, of Masham.—She having died on the 3rd March, 1807, aged 83, he married, secondly, on the 2nd April, 1810, Edith, the daughter of the late John Holdsworth, of Kexmoor, who died on the 16th April, 1818, aged 64 years. He had no issue by either of his two wives, and died at Masham, on the 16th Oct. 1825, aged 87 years.

and for ever establish, a school at Healey, for educating, and instructing, the children of the poor inhabitants of the Parish of Masham, in the manner thereafter mentioned, and, for that purpose, to convey the said school-house, dwelling-house, stable, cow-house, and other buildings, and also the several closes or parcels of ground, and hereditaments, thereafter described, with their appurtenances, unto and to the use of the said Joseph Burrill, his heirs and assigns, upon the trusts thereafter expressed: It is witnessed, that in pursuance of such determination, he the said William Danby did grant, bargain, sell, and confirm, unto the said Joseph Burrill, his heirs and assigns, all that the said school-house, and all that the said dwelling-house, with the stable, cow-house, and other buildings, then lately erected and built by the said William Danby, as thereinbefore mentioned, and also the yard and garden adjoining, or belonging to the said school-house, dwelling-house, and premises thereinbefore described; and also all those three closes or parcels of arable, meadow, or pasture ground, lying within a ring fence about the said school-house and dwelling-house, containing by admeasurement (with the site of the said buildings) 11*a.* 2*r.* 18*p.*, or thereabouts, were the same more or less, bounded on the north and east sides thereof by high roads, and on the south, and west, sides thereof, by other lands of the said William Danby, and all which said school-house, dwelling-house, and premises, are situate, lying, and being, in the township of Healey and Parish of Masham; together with the appurtenances. To hold the same unto the said Joseph Burrill, his heirs and assigns, for ever; upon the trusts thereafter declared concerning the same, that was to say, upon trust, that he, the said Joseph Burrill, his heirs and assigns, should at all times thereafter, permit and suffer the said school-house to be used and employed by the schoolmaster for the time being of the said school, for the teaching of the scholars therein; and should permit and suffer the schoolmaster

for the time being of the said school, to inhabit, hold, occupy, and enjoy, the said dwelling-house, stable, cow-house, buildings, yards, garden, closes, or parcel of ground, and other hereditaments thereinbefore described, and to take the profits thereof for his own use and benefit, the said master for the time being keeping, and maintaining, the said school-house, dwelling-house, and other buildings, in good and sufficient order and repair, at his own expense, and also managing the said closes or parcel of ground in a proper and husbandlike manner. And the said William Danby thereby declared, and directed, that the schoolmaster of the said school should from time to time, and at all times, thereafter, be elected, nominated, and placed in the said school, by the said William Danby, or the lord, or lords, or lady, or ladies, of the manor of Masham, and Mashamshire, for the time being, or by the guardian, or guardians, of any lord, or lords, or lady or ladies of the said manor, who might happen to be a minor or minors. And, that the schoolmaster of the said school for the time being, should, in consideration of his enjoying the said dwelling-house and hereditaments and premises thereinbefore mentioned, teach and instruct such a number of children of the poor inhabitants of the Parish of Masham, as the said William Danby, or the lord, or lords, or lady, or ladies, of the manor of Masham, and Mashamshire, or his, her, or their guardian, or guardians, and the said Joseph Burrill, or the resident minister of the Parish Church of Masham, for the time being, should from time to time appoint, in the principles of the Protestant religion, as by law established, and in reading, writing, and arithmetic, and other proper and useful learning for poor children, without receiving any salary, gratuity, or reward, for the same, either from the Parish of Masham, or from any of the relations, or friends, of the said children, or any of them, without the consent of the said William Danby, or the lord, or lords, or lady, or ladies, of the manor of Masham, and Mashamshire, or his, her, or their guardian, or guardians, and the said

Joseph Burrill, or the resident minister of the Parish church of Masham, for the time being. But that the said schoolmaster of the said school for the time being, should be at liberty to take any scholars into the said school (besides the said poor children) and to take such salaries, or rewards, for teaching them as he should think fit.—And the said William Danby further directed, that the said school should at all times thereafter be ordered, governed, and conducted, by, under, and subject to such rules, regulations, restrictions, and conditions, as the said William Danby, or the lord, or lords, or lady, or ladies, of the manor of Masham, and Mashamshire, for the time being, or his, her, or their guardian, or guardians, and the said Joseph Burrill, or the resident minister of the Parish church of Masham, for the time being, should from time to time think proper to make, order, or direct, for that purpose. And that if any schoolmaster for the time being should neglect the said school, misbehave himself, or become incapable, or unfit, to perform his duty, or refuse, or neglect, to act conformably, and in obedience to the rules, regulations, and orders, which should be made as aforesaid for governing and conducting the said school, or should accept of, or undertake, any other situation, office, or employment, incompatible with his duty as schoolmaster of the said school, then and in every such case, it should be lawful for the said William Danby, or the lord, or lords, or lady, or ladies, of the manor of Masham, and Mashamshire, for the time being, or his, her, or their guardian, or guardians, to displace and remove such schoolmaster, on the 6th day of April in any year, upon giving him six calendar months previous notice in writing of his intended removal, and to nominate another fit person, in the room or place of the schoolmaster who should be so removed. But it was thereby declared, that no person should be appointed to, or hold, the situation of schoolmaster of the said school, unless he should be a Protestant according to the doctrine and discipline of the Church of England, and in communion therewith.

The Rev. Joseph Burrill, the sole trustee under this deed, died on the 1st March, 1853, and as no new trustee has since been appointed in his place, the legal estate in the Charity property is now vested in Mr. William Burrill, of Liverpool, as his eldest son and heir-at-law.

MRS. DANBY HARCOURT'S CHARITY SCHOOL, was built by that lady in the year 1854. It is a neat stone building with a porch, and contains, besides the school-room, apartments for the schoolmistress. Mrs. Danby Harcourt also endowed it with £666 13s. 4d. three per cent consols, for the purposes, and in the manner set out in the Deed of Endowment to be mentioned presently. By an Indenture made the 17th March, 1856, between Octavius Henry Cyril Venables Vernon Harcourt,* of Swinton Park, an Admiral in Her Majesty's Royal Navy, and Anne Holwell Danby Vernon Harcourt, his wife, of the one part, and the said O. H. C. V. V. Harcourt, Christopher Imeson,† of Masham, gentleman, and John Lightfoot the younger, of the same place, gentleman (trustees for the purposes thereafter named) of the other part, after reciting that the said Anne H. D. V. Harcourt, had then lately erected, fitted up, and established, as a school-room, and residence for the schoolmistress thereof, a certain building situate at the entrance into the town of Masham, and that she was desirous that a Day-school should from time to time for ever thereafter be held and carried on, in the said school-room, for teaching gratuitously, such a number of girls as thereafter mentioned, under and subject to the rules and regulations thereafter mentioned, or referred to, and that the other portion of the said building should be occupied as a residence for the time being of a schoolmistress, to be nominated, and appointed, displaced, and removed, in the manner,

* He died on the 14th August, 1863.

† He died on the 12th July, 1859, aged 60.

and by the person, or persons, named and provided for in the said rules and regulations. And reciting, that in order to make provision for, or towards, the stipend or salary of such schoolmistress, and the clothing of twelve girls who should be instructed in the said school, and for supplying fuel to warm the said school-room and residence, and for supplying books for the said school, she, the said A. H. D. V. Harcourt, with the privity and consent of her said husband and with monies at her own sole use and disposal, had purchased the capital sum of £666 13s. 4d. stock, in the 3 per cent. Consolidated Bank Annuities, and had caused the same to be transferred into the joint names of the said O. H. C. V. V. Harcourt, Christopher Imeson, and John Lightfoot the younger, and that such sum was then standing in their joint names in the transfer books of the governor and company of the Bank of England. And reciting, that the said A. H. D. V. Harcourt was further desirous, that such trusts should be declared of and concerning, the said bank annuities, as were thereafter expressed and declared. It is witnessed, that for further effectuating the desire and intentions of the said A. H. D. V. Harcourt, in relation to the said school and premises, and for declaring the trusts of the said bank annuities, it was thereby expressly declared, and agreed, that they, the said O. H. C. V. V. Harcourt, C. Imeson, and John Lightfoot the younger, and the survivors and survivor of them, or the executors or administrators of such survivor, and their or his assigns, or other the trustees or trustee for the time being, to be appointed under and by virtue of the power or authority thereafter in that behalf contained, should stand and be possessed of the said sum of £666 13s. 4d., 3 per cent. consolidated bank annuities, which had been so transferred into, and was then standing in, the joint names of them, the said O. H. C. V. V. Harcourt, C. Imeson, and John Lightfoot the younger, as thereinbefore recited, and the dividends and annual income thereof, upon trust, and to the

intent that they, the said trustees, or the trustees, or trustee, for the time being acting under the said Indenture, should, from time to time, and at all times thereafter, pay and apply the dividends and annual income arising from the said sum of £666 13s. 4d., 3 per cent. consolidated bank annuities, when, and as the same should become due, and payable, for and towards the payment of the salary of the said schoolmistress for the time being, and for or towards defraying the costs and expense of clothing from time to time the twelve girls who are being instructed free in the said school.—And as to the residue and remainder of the said dividends (if any) upon trust, to invest such surplus, as therein mentioned, in order that the same might accumulate and form a fund for the increase or extension of the said school.—It was also declared that the appointment and removal of the said schoolmistress, should rest absolutely, and entirely, with, and be vested in, the said A. H. D. V. Harcourt, during her life, and that she should be at liberty, at her own absolute will and pleasure to dismiss, displace, and remove, any such school mistress, whenever, in the uncontrolled discretion of the said A. D. V. Harcourt, she should think fit, and to appoint another in her stead, and that any such schoolmistress so removed, should not have any claim whatever for salary, or any other remuneration, beyond the day of the date of her dismissal from being mistress of the said school, and should not under any pretence whatever, have any claim or right to remain in the school premises or residence.—And, that as long as any schoolmistress so appointed as aforesaid, should continue to be mistress, she should teach, and instruct, free of all charge, and to the best of her ability, twelve girls, to be appointed by the said A. H. D. V. Harcourt, during her life, in reading, sewing, marking, and plain work.—And that after the decease of the said A. H. D. V. Harcourt, the trustees, or trustee for the time being, acting under the said Indenture, should have full power and authority, at their

discretion, to dismiss and displace the schoolmistress of the said school, at any time, for inattention to her duties, misconduct, or want of capacity for teaching, or for any other reasonable cause, which to the said trustees for the time being in their discretion should seem fit, and thereupon to remove such schoolmistress from the said school-house and residence, and to appoint such other fit person in her stead, as, in their discretion, they should choose to elect, and immediately upon any such dismissal of any schoolmistress, under or by virtue of the power thereby given to the said trustees, or trustee for the time being, such schoolmistress should be forthwith deprived of any right or claim to the use, or occupation, of the said school premises and residence, or any part thereof, or to any stipend or salary after the day of such dismissal or removal—proviso, that the owner of the Swinton estates for the time being, with the concurrence of the Vicar of Masham for the time being, and the said trustees, or the majority of them, shall have the nomination and selection of the twelve girls before mentioned, and who may be chosen from any township in Mashamshire forming the Swinton property.

MRS. DANBY HARCOURT'S ALMSHOUSES were built by that lady in the year 1853, and were endowed by her with £2650 3 per cent. consols, to enable each of the six inmates thereof to receive five shillings a week, as is shewn by the following Deed of Endowment. By an Indenture (enrolled in Chancery) dated the 17th March, 1856, made between the said O. H. C. V. V. Harcourt, and A. H. D. V. Harcourt, his wife, of the one part, and the Rev. Thomas Hedley, Vicar of Masham, the said Christopher Imeson, and John Lightfoot the younger, of the other part. After reciting, that the said A. H. D. V. Harcourt, had lately erected, built, and fitted up, as almshouses, six small cottages in Masham, and that she was desirous that six poor persons of the Parish of Masham, to be nominated and appointed as thereafter

mentioned, should from time to time, be permitted and allowed to become the inmates and occupiers of the said cottages or almshouses. And reciting, that in order to make some provision for, or towards, the maintenance and support, of the persons from time to time residing in, or occupying the said cottages or almshouses, the said A. H. D. V. Harcourt, had purchased the capital sum of £2650 3 per cent. Consolidated Bank Annuities, and had caused the same to be transferred into the joint names of the said Thomas Hedley, C. Imeson, and J. Lightfoot the younger, and such sum of £2650 3 per cent. Consolidated Bank Annuities were then standing in the joint names of the said trustees. And reciting, that the said A. H. D. V. Harcourt was further desirous that such trusts should be declared, of and concerning the said bank annuities, and the dividends and annual income thereof, as were thereafter expressed and contained. It is witnessed, and was thereby declared, that the said trustees, and the trustees for the time being, to be appointed under or by virtue of the power or authority thereafter in that behalf contained, should stand, and be possessed of, and interested in the said sum of £2650 3 per cent. consolidated bank annuities, which had been so transferred into, and was then standing in, the joint names of the said trustees, and the dividends, and annual proceeds or income thereof, upon the several trusts following: that was to say, upon trust, that they, the said trustees should from time to time, and at all times thereafter, pay and apply the dividends, and annual proceeds and income of, and arising from the said sum of £2650 3 per cent. consolidated bank annuities, when, and as the same should become due, and payable, for or towards the maintenance and support of the six poor persons, who for the time being should, under the rules and regulations thereafter mentioned or referred to, reside in or occupy the said six cottages or almshouses, at Masham, so erected and built by the said A. H. D. V. Harcourt, as aforesaid, but so nevertheless,

and in such way and manner as that each inmate or occupier of the said six cottages or almshouses, for the time being, whether a male or female, or both (a man and his wife being counted one person only) may have and receive thereout for his, her, or their stipend, the sum of five shillings per week, and no more, to be payable every Wednesday morning.—And, as to the residue or surplus of the said dividends or annual proceeds (if any) to invest the same for the benefit of the inmates.—Proviso, that no inmate or occupier shall be entitled to receive or claim the said weekly stipend, or allowance of five shillings, unless he, she, or they, shall in all respects, matters, and things, submit and conform to, and duly observe, perform, and keep the several rules and regulations therein mentioned or referred to.

ADMIRAL HARCOURT'S ALMSHOUSES were built by that gentleman, in the year 1855, and were by him endowed with £1775, 3 per cent. consols, to enable each of the four inmates of such almshouses to receive five shillings a week, as is shewn by the following Deed of Endowment. By an Indenture (enrolled in Chancery) dated 6th day of August, 1858, and made between the said O. H. C. V. V. Harcourt, of the one part, and the said Thomas Hedley, C. Imeson, and John Lightfoot of the other part, after reciting that the said O. H. C. V. V. Harcourt had lately erected, built, and fitted up, as almshouses, four small cottages or tenements, in Masham, and that he was desirous that four male poor persons, either single, or married and having a wife, but without family, of the Parish of Masham, to be nominated and appointed as thereafter mentioned, should from time to time be permitted and allowed to become the inmates and occupiers of the said cottages or almshouses, under and subject to the rules and regulations thereafter mentioned or referred to; and reciting that in order to make some provision for, or towards, the maintenance and support of the persons from time to

time residing in or occupying the said cottages or alms-houses, the said O. H. C. V. V. Harcourt had purchased the capital sum of £1775 stock in the 3 per centum consolidated bank annuities, and had caused the same to be transferred into the joint names of the said trustees, and that the said bank annuities were then standing in the joint names of the said trustees, in the transfer books of the governors of the Bank of England.— And reciting, that the said O. H. C. V. V. Harcourt was further desirous that such trusts should be declared of, and concerning, the said bank annuities, and the dividends and annual income thereof, as are thereafter expressed and contained. It is witnessed, and was thereby declared, that the said trustees, or the trustees or trustee for the time being, to be appointed under or by virtue of the power or authority thereafter in that behalf contained, should stand and be possessed of and interested in the said sum of £1775 in 3 per centum consolidated bank annuities, which had been so transferred into and was then standing in, the joint names of the said trustees, and the dividends and annual proceeds or income thereof, upon the several trusts following, that was to say, upon trust, that they, the said trustees should, from time to time, and at all times thereafter, pay and apply the dividends and annual proceeds or income of, or arising from the said sum of £1775 3 per centum consolidated bank annuities, when and as the same should become due or payable for, or towards, the maintenance and support of the four poor persons who for the time being should under the rules and regulations therein mentioned, or referred to, reside in or occupy the said four cottages or almshouses, at Masham aforesaid, so erected and built by the said O. H. C. V. V. Harcourt as aforesaid, but so nevertheless, and in such way, and manner, as that each inmate or occupier of the said four cottages or almshouses, for the time being, whether a single person, or a man and his wife (a man and his wife considered as one individual) may have

and receive thereout, for his, her, or their stipend, the sum of five shillings per week, and no more, to be payable every Wednesday morning. And as to the residue, or surplus of the said dividends, or annual proceeds (if any) to invest the same for the benefit of the inmates. Proviso, that no inmate, or occupier, should be entitled to receive, or claim the said weekly stipend or allowance of five shillings unless he, or they, should in all respects matters, and things, submit and conform to, and duly observe, perform, and keep the several rules and regulations therein mentioned or referred to.

POOR'S LANDS IN COVERDALE.—By Indentures of lease and re-lease, the re-lease being dated the 24th March, 1731, James Geldart, and Lucy his wife, in consideration of £94 5s., conveyed unto Sir Roger Beckwith,* Abstrupus Danby,† William Beckwith,‡ Christopher Gregg,|| John Bartlett,§ and John Lonsdale,¶ (being part of the twenty four of Masham) and their heirs, a messuage or tenement in Carlton, in Coverdale a close of meadow ground called the garth, on the backside of the said messuage, and two closes of meadow called respectively Tenters and the Kiln close, containing altogether by estimation 3*a.* 1*r.* upon trust, after deduction of taxes, repairs, and other incidental charges yearly, on the feast of St. Andrew the Apostle, according to the best of their discretion, with the approbation of the rest of the Twenty-four for the Parish of Masham, for the time being, to give and distribute to the most poor, impotent, and aged people of the township of Masham (in such

* Sir Roger Beckwith shot himself in May, 1743.

† Abstrupus Danby, Esq., died 12th March, 1750.

‡ William Beckwith died 5th June, 1762.

|| Christopher Gregg died 31st March, 1748.

§ John Bartlett died 15th Dec., 1769.

¶ John Lonsdale was buried 1st May, 1784.—He was the last surviving trustee under this Deed. The legal estate in this property is therefore now vested in his heir-at-law, viz:—The Right Rev. John Lonsdale, D.D., Bishop of Lichfield.

proportions as they should think fit) such proportion of the rents and profits of the said premises to £20 as the whole rent is to £94 5s. (the consideration money aforesaid) or with such proportion of the said rents and profits to put or place out apprentice or apprentices, such child or children of the most poor, impotent and aged people of the township of Masham, as to them should seem meet and proper (£20, part of the said purchase money being left for that purpose); and in like manner yearly, on the feast day of St. Andrew the Apostle, according to the best of their discretion (with the approbation of the rest of the said Twenty-four of the said Parish) after deduction of taxes, repairs, and other incidental charges relating to the trust aforesaid, to distribute and give to the most poor, impotent, and aged people of the Parish of Masham, in such proportions as they should think fit; the rest of the rents and profits of the said premises or otherwise, therewith to put or place out apprentice or apprentices such child or children of the most poor, impotent and aged people of the Parish of Masham, as to them should seem meet and proper, such residue being left for that purpose: and power was thereby reserved to the trustees on the death, resignation or non-residence of any of them within the Parish of Masham, and as the major part of them then in being, should think proper to choose others of the Parish of Masham, to fill up the vacancies in the number of trustees.

The property at Carlton was bought by the Four and Twenty with the sum of £70, then in their hands and belonging to the poor of the Parish of Masham, and with the further sum of £20, then belonging to the poor of the township of Masham, the balance of £4 5s., being made up by the township, and the Parish contributing to it proportionably, as I gather from a minute to that effect in an old book belonging to the township of Masham, which further states that the township is entitled to two-unith parts of the clear rents and profits of the estate, and that the Parish is entitled to the remainder, and

that the rents had accordingly been so distributed ever since the making of the purchase. I find, however, on referring to a book belonging to the Four and Twenty, the following minute having reference to this property, viz.: "1844, Dec. 14th, it was resolved by the Four and Twenty that whereas it appears that when the rent was four pounds, the poor of Masham were considered entitled to one-fifth, and that now the rent is seven pounds, the same sum of 16s. only has been given, the proportion should again be raised to one-fifth of the rent. —T. Riddell."

Since the date of this last minute, I find that £1 8s. has been annually distributed among the poor of Masham township, instead of 16s. as heretofore; and that £5 12s. (being the balance of the rent of £7) has been annually applied by the Four and Twenty in placing out apprentice boys of the whole Parish, £1 being paid for each boy on the production of the indenture.

The £20 mentioned above as belonging to the township of Masham, was partly derived from a bequest made by the will of a William Tipping, dated the 25th December, 1626, in which he gave "to the poor of the town of Masham 20s. yearly," the annual payment of 20s. being afterwards commuted by a money payment of £15, and partly by a sum of £5, being the remnant of a legacy of £100 which was left to the poor of Masham, by a person of the name of Smith, but which (with the exception of £7 10s.) was lost by the insolvency of a person who held the money.

Formerly and down to the 14th Dec., 1844, it was the practice to distribute 16s. (part of the annual rent of this land) under the name of "Tipping's dole," among poor persons of the township of Masham, for which purpose it was added to money collected at the sacrament; and the same practice has prevailed since the 14th Dec., 1844, the only difference being that £1 8s., has been so distributed in the place of 16s. as formerly.

The property at Carlton, including an allotment of an

acre and a half of land made on the inclosure of Carlton common, is now let to William Walls, of Carlton, at the rent of £7 per annum.

HUTCHINSON'S DOLE.—This is a rent-charge of £2 per annum, £1 thereof is payable to the poor of Masham township, and the other £1 to the poor of the township of Swinton, charged by the will of John Hutchinson, of Ripon, dated the 9th Sept., 1719, on certain lands in the Parish of Kirkby Malzeard, called the poor-lands (now the property of Charles Oxley, Esq., of Ripon) as appears by the following extract from such will:—"And I hereby give and devise all that farm-hold or tenement, with its appurtenances commonly called by the name of Falls, situate and being within the township of Galgah, al^s Galgay, al^s Galghway, in the Parish of Kirkby Malzeard, in the said county of York, with all the lands, closes, tenements, and hereditaments, whatsoever, to the same belonging and now therewith held and enjoyed, unto the said John Bartlett, Charles Lyster, and John Wells, and their successors and heirs, for ever, upon the special trust and confidence, following, viz:—That they the said John Bartlett, Charles Lyster, and John Wells, and the survivors, successors, and survivors of them and his heirs, shall out of the yearly rents, issues, and profits thereof, pay unto my said dear wife [£4 per annum]. And upon this further trust and confidence, that they the said John Bartlett, Charles Lyster, and John Wells, and the survivors, successors, and survivor of them and his heirs, shall yearly and every year, for ever from and after the decease of my said wife, pay unto the respective overseers of the poor of the respective townships of Well, Masham, and Swinton, in the said county of York, for the time being, the respective sums of twenty shillings a piece, the same to be respectively paid unto them upon the first day of March yearly, and every year, without any deduction or abatement for any cause, matter, or thing whatsoever, to be by the said

respective overseers yearly applied in and towards the relief of the respective poor of the said respective townships."

THIRKILL'S CHARITY.—Jane, widow of John Thirkill, of London (who died 27th July, 1812) by her will bequeathed £100 towards the institution of a Female Union Society in the Parish of Masham (see *ante* p. 397-8.)

MARSDEN'S CHARITY.—Mrs. Marsden, of Hanover Terrace, Regent's Park, London, gave £220 3 per cent. consolidated bank annuities, and caused the same to be transferred on the 22nd February, 1842, to the late Rev. Thomas Riddell, Vicar of Masham, William Burrill, (now of Liverpool) and the late John Burrill in trust, viz:—the interest to be applied annually for the benefit of such poor people of the Parish of Masham, as the said trustees in their discretion shall think proper.—The Vicar of Masham for the time being is always considered as one of the trustees (see *ante* p. 397.)

WRATHER'S CHARITIES.—Elizabeth Wrather, late of Masham, spinster, by her will dated 4th May, 1853, gave "to the school at Scarbeckwall, Masham, £100 of my $3\frac{1}{4}$ per cents. funded property, for the education of poor boys from the most destitute families in Masham—I wish this legacy to remain in the funds.—After a certain time the poor children will take their turns of removal to the Free School, and others will be appointed to their places.—The Vicar of Masham to have the nomination. * * * * I leave a sovereign a year to the Dorcas society." (see *ante* p. 395.)

TOWNSHIP OF FEARBY.

RIPLEY'S RENT-CHARGE.—William Ripley, by will dated 14th Dec., 1722, devised to his nephew, William

Ripley, and the heirs of his body, all his messuages, lands, and hereditaments in the townships of Fearby and Middleham, in the county of York, upon condition that there should thereof be yearly paid by the said William Ripley, and the heirs of his body, to the poor of Fearby aforesaid, 10s. on Candlemas-day, for ever.

TOWNSHIP OF ILTON-CUM-POT.

There is an ancient payment of 10s. a year to the poor of this township, out of a cottage and three small fields of about three acres in the township, the property of the Horsman family. This payment is still continued to be made by Miss Margaret Horsman, of Ilton, the present owner of the property.

TOWNSHIP OF ELLINGSTRING.

WRIGHT'S GIFT.—Thomas Wright, by will dated the 5th Oct., 1715, gave to the poor of Ellingstring, £50—the use of it, 50s. a year, to be paid for ever on St. Thomas's day, to honest religious poor people, and such as John Wright and four others therein named should think fit. The will, however, was not duly executed as the law then stood, being signed in the presence of two witnesses only, and the payment, which has been discontinued, cannot therefore be legally enforced.

TOWNSHIP OF SWINTON.

HUTCHINSON'S DOLE.—This Charity is noticed *ante* p. 451, and still distributed.

KING'S GIFT.—“William King (as appears by an entry in the Overseers' or Township book) left £12, the interest thereof, viz: 10s. to be distributed among the poor of Swinton yearly.” The interest is added to, and distributed with, the Sacrament money and Hutchinson's Dole before alluded to. The £12 is now invested in the Bedale Savings Bank.

BARTLETT'S DOLE.—This is an annual payment of 5s. a year for the poor out of land in Swinton, now the property of Mrs. Danby Vernon Harcourt, and formerly belonging to the Bartlett, and afterwards the Ascough family. This Dole is still distributed.

CHARITY FOR APPRENTICING.—By Indenture dated 30th March, 1714, made between John Pickard of Low Roomer, in the Parish of Masham (surviving executor of the will of John Pickard his late father deceased) of the one part, and the Honourable Sir Abstruphus Danby, of Mashamshire, in the county of York, of the other part: Reciting that Matthew Imeson being possessed of, or entitled to, two little closes of meadow or pasture ground on the low flat, commonly called the three acre closes, containing by estimation three acres, abutting on Badger-lane on the west, and the river Eure on the east, lying and being in the township of Swinton, in Roomer, and Wardermark, in the county of York, with the appurtenances, for the residue of the several and respective terms of eight hundred four score, and eight hundred and three score and nineteen years, or for the remainder of some other considerable number of years unexpired, had by indenture of lease dated 1st March, 1672, for the consideration therein mentioned, demised the said premises to the said John Pickard the father, for 860 years thence ensuing without impeachment of waste; and further reciting that the said John Pickard, the father, had by his will constituted Mirian Pickard, and the said John Pickard (the party) executors thereof, and that they had proved the said will, so that the interest in law in the said premises became vested in the said Mirian Pickard and John Pickard (the party) or one of them; and that the said Mirian Pickard afterwards died, by whose death the interest in law in the premises became solely vested in the said John Pickard (the party) and further reciting that the said John Pickard (the party) by indenture dated 1st May, 1712, in consideration of

£25 paid by Sir Abstrupus Danby, Knight (£20 part thereof being a legacy left by Mrs. Ann Norton,* by her will dated 27th August, 1640) to the intent that out of the interest and produce thereof, yearly and every year, a poor child should be bounden apprentice within the Parish of Masham, *especially from Swinton*:† and £5 the remainder thereof being a gift given by the then late Lady Yorke,‡ niece to the said Ann Norton, since the making the aforesaid will towards placing out the said poor children apprentices, had demised to the said

* Ann Norton, of Swinton, gentlewoman, by her will dated the 27th August, 1640, after bequeathing her soul to Almighty God her maker, and to Jesus Christ her redeemer, hoping through the merits of her Lord and Saviour, Christ Jesus, to obtain everlasting salvation, and giving and bequeathing her body to be buried in the church or churchyard of Masham, at the likinge of her executor and cozen, Edmond Norton, “gave thirty shillings yearly and every year for the binding of a poor child prentice within the Parish of Massam, and especially from Swinton wherein I was borne.” She also in this will makes mention of her brother Maior Norton [Mauger Norton] of Richmond, gentleman—her brother Richard—the daughter of her brother Richard, “which I christened,”—her sister Cielie Norton. She constituted Christopher Beckwith, of Woodall in Nidderdale, her sole Executor, and appointed her “Cozen Edmond Norton of Stainley Rice, Gen., supervisor.”—The will is witnessed by James Danbie, Edmond Norton, Henry Atkinson, and John Horsman.

† The people of Swinton read these words as if they meant *exclusively* from Swinton, whereas the utmost that they can mean is, that preference should be given to those in Swinton. Acting upon this interpretation of the words, they have hitherto appropriated the whole of the money to the apprenticing of poor children from Swinton, to the exclusion of the rest of the Parish; and, as it but seldom happens that Swinton produces a poor child which requires putting out apprentice, they have accumulated the money until it has reached the sum of £70, which they retain in their hands rather than apply it, or any part of it, towards putting out apprentice poor children from other parts of the Parish. This is manifestly wrong and requires correction.

‡ Lady Yorke here alluded to, was Mary Norton, the daughter of Mauger Norton, M.P., of St. Nicholas, near Richmond; she was baptized at Richmond, on the 12th July, 1635, and was married there on the 20th August, 1651, to Sir John Yorke, M.P., of Gowthwaite Hall, in Nidderdale, who was M.P. for the borough of Richmond, as mentioned *ante* p. 287. Mr. Grainge, however, in his “History of Nidderdale,” page 49, says that the marriage

Sir A. Danby, the premises aforesaid for 600 years thence next ensuing, in trust nevertheless for the use of the poor of Swinton, in the said county of York, redeemable upon the paying £26 10s. in such manner as therein expressed. It is witnessed that the said John Pickard (the party) in consideration of the further sum of £15 paid by Sir A. Danby, being a gift given by him in addition to the said Mrs. Ann Norton's and the Lady Yorke's charity, and for the better performance of the said Ann Norton's will, towards putting out a proper child or children apprentices from Swinton Constabulary aforesaid, granted, bargained, sold, and assigned unto the said Sir A. Danby, all his estate, right, interest, claim and demand whatsoever, in law or equity, of, in, or to the before-mentioned closes; to hold the same unto the said Sir A. Danby, his executors, administrators, and assigns, for all the remainder of the said term of 860 years, granted by the said Matthew Imeson, to the said John Pickard (the father) in trust only and for and towards the placing out such poor child, or poor children apprentices in Masham Parish, or elsewhere, as from time to time should happen to be born or have some legal settlement in the Constabulary of Swinton aforesaid, and to no other use, intent, and purpose whatsoever.

The land mentioned in this deed, and which goes by the name of "the Poor Boys' Closes," is now in the occupation of Dr. Dalglish of Masham, and lies open on one side to adjoining land belonging to Mrs. Danby Harcourt, the fence having been taken away; there are,

between Sir John Yorke and Mary Norton, took place on the 15th January, 1658, when Sir John was a minor, and that when he came of age he settled upon his wife as a jointure, all his manors or lordships of Nidderdale, and Appletreewick, Gowthwaite Hall, &c.: and that it was by this lady that the property of the Nortons at Richmond, came into the possession of the family of Yorke as dower: and that she was the dame Mary Yorke, who, during her widowhood, purchased the manor of Bewerley in 1678. It is from this lady that John Yorke, Esq., the present owner of Bewerley, is descended.

however, boundary stones erected to mark the real boundary. It contains by admeasurement 4*a.* 3*r.* 16*p.*

The whole of the rents derived from this land are applied in putting out as apprentices, boys who have either been born, or have their legal settlements, in Swinton Township.—£4 appears to be the sum which is usually paid for putting out an apprentice.

ANCIENT CUSTOMS, &c.

The practice of ringing the Curfew-bell morning and evening, has been continued at Masham down to the present time. The introduction of this custom into England is usually ascribed to William the Conqueror, and is said to have been first instituted by him in the City of Winchester, as a badge of servitude, and for the purpose of keeping the subjugated English from meeting over their cups, and debating their grievances. Whilst these regulations were in operation, it was required that at the time of its evening sound, all lights and fires should be extinguished, and not be re-kindled till its sound was again heard in the morning. This was effected by raking the ashes of the wood fires over the embers as they lay upon the hearth—hence its name *Couvre feu*, or Cover-fire (see Milne's Winchester, i, 189.) Some, however, who give the credit of its institution to the Conqueror, are of opinion that these were not the only reasons which he had for introducing his Curfew regulations into England, and that one object at least which he had in view, was to prevent the frequent occurrence of the serious conflagrations of the dwellings of the English to which they were then subject, owing to the combustible nature of the materials then used in their construction, viz:—wood, wattles, &c.—brick being then but little used, whilst stone was reserved for ecclesiastical and military structures. This was especially the case in this district, which was then a wild forest—so much, indeed, was this the case, that the neighbouring village of Watlass actually took its name from the wattles of which it was then built.—Hence the necessity for such a precaution.

There can be no doubt, however, that the practice of ringing the Curfew-bell is of much older date than the time of William the Conqueror, and that it had long prevailed throughout Europe, at the time of the conquest, so that the Conqueror had only the merit, or demerit, whichever it may be deemed, of introducing into England an existing custom already practised elsewhere, and not that of originating it, as has been erroneously supposed.—See *Pop. Antiq.*, ii, p. 137.

The error which I have just pointed out, was not, I believe, the only error in connection with the ringing of the Curfew-bell—as it was called. If the Curfew-bell was really instituted by the Conqueror, or if it be true that he imposed upon the subjugated English his Curfew regulations as a badge of servitude, or slavery, and with the object I have already mentioned, one would naturally have supposed that the people would have been but too glad to have got rid of it as soon as the opportunity for doing so presented itself, yet such was not the case. The law which enacted these oppressive Curfew regulations was abolished by King Henry I. (the Conqueror's youngest son) in the year 1110, yet we find that the practice of ringing the bell was continued as before, and that it has since been continued in many parts of both England and Scotland down to the present day, and what is more, in a great many places, indeed, a salary is still paid annually out of the Parish monies for the ringing of it. Now, as men, when left to themselves, do not usually pursue a practice which is attended with labour and some expense, we may venture to conclude that they have not been without an object in the continuance of such a practice for so many hundreds of years after the legal necessity for it had ceased. The ringing of the bell no doubt owes its continuance, if not its origin, to a religious observance, or what was formerly regarded as a religious duty, the object of it being to recall to men's minds the duties they owe to their Maker—to excite them to acts of devotion—and repeat the

Angelus Domini in memory of our Saviour's becoming Man for their salvation, from which circumstance it came to be known by the name of the Angelus Bell. The name, however, together with its end and object is now wholly forgotten, and the times of its being rung have in the course of time been changed to 8 a.m., and 5 p.m., to suit the utilitarian spirit of the age in which we live, and it now only serves to recall the labourer to his daily toil in the fields, and to release him at the conclusion of the day from his labour.

Formerly it was the custom to ring the Church-bells on the eve of the September Fairs, the object being (according to a tradition handed down to us through old Jack Harrison, the leader of the ringers) to guide by the sound of the bells, persons coming across the wide moors (which were then laid open and unenclosed) to attend the fairs. I suspect, however, that the ringing of the bells on those occasions, had reference rather to the commemoration of the anniversary of the dedication of the church, than to the direction of the strangers coming across the moors to attend the fairs.

The manner of tolling the Passing-bell * or Soul's-bell,

* The Passing-bell, as its name implies, was formerly tolled whilst the person was yet alive, but on the point of dying or passing from life, in order that those who heard it might pray for the soul of the person so dying. The practice is not only associated with the finest impulses of human nature, but is of high antiquity. Durand, who flourished about the end of the twelfth century, tells us in his *Rationale*, Lib. I., ch. 13, "When any one is dying, bells must be tolled that the people may put up their prayers; twice for a woman, and thrice for a man: if for a Clergyman, as many times as he had orders: and at the conclusion a peal on all the bells, to distinguish the quality of the person for whom the people are to put up their prayers." It is also mentioned in Bede's "Ecclesiastical History," Lib. IV., cap 23, also in Ellis's "Original Letters Illustrative of English History," 2nd Series, vol. ii, p. 290. The practice was not only retained at the Reformation, but it continued in use as late as the time of Charles II., up to which time the tolling of this bell formed one of the enquiries in all Articles of Visitation. By the beginning of the Eighteenth century the Passing-bell, in the proper sense of the term, had almost ceased to be heard. Brand in his "Popular Antiquities" by Ellis, vol. ii, p. 129, makes mention of a custom being still preserved in the

here is very ancient and different to that which prevails in other Parishes. Here, in the case of persons dying within the town of Masham, or in Burton Constabulary, the Tenor-bell is first rung out, but not so in the case of persons dying in any other part of the Parish; after which, in the case of a child under seven years of age, three knells are given on each of the six bells in succession if a female, and three knells on the first four bells, and five knells on the last two bells in succession if a male. For a person under sixteen years of age five knells are given on each of the six bells in succession if a female, and five knells on the first four bells, and seven knells on the last two bells in succession if a male. For a person above sixteen years of age, but unmarried, seven knells are given on each of the six bells in succession if a female, and seven knells on each of the first four bells, and nine knells each on the last two bells in succession if a male. For a married person, nine knells are given on each of the six bells in succession if a female, and nine knells on each of the first four bells, and eleven knells on each of the last two bells in succession if a male. Thus by paying attention to the bell and to these rules, a listener is able to tell whether the person deceased is young or old, whether male or female, and whether single or married.

The advent of Christmas used formerly to be heralded in here by the visits of Vessel-cup singers, bearing baskets containing waxen images of the Infant Saviour, and singing Christmas carols; and afterwards for several mornings in succession by the "Waits."

Christmas Eve is commemorated by a gathering together (whenever practicable) of all the members of each family, and the partaking together of a supper of fermenty, yule-cakes, and cheese, besides other good things, over a blazing fire, in which the yule-log plays a promi-

North of England, of making numerical distinctions at the conclusion of the ceremony here alluded to; "i. e. nine knells for a man, six for a woman, and three for a child," which he says are undoubtedly the vestiges of the ancient injunctions of popery.

nent part, and "not to be snuffed" yule-candles which the family grocer, by ancient and immemorial custom, is bound to supply gratuitously. If the supper of furrmenty, &c., should not by any chance have succeeded in effecting a sleepless night to the partakers of it, that object is sure to be attained by two or three companies at the least of vagrant "Christmas Singers," serenading them at different hours during the night, followed by a parcel of "urchins" screaming out at the top of their small voices, "I wish you a merry Christmas and a happy New Year, please will you give me a Christmas-box." Before, however, the door can be opened to any of these "disturbers of the peace," it is imperatively necessary that the "lucky bird" should be first introduced, and that that lucky-bird should not by any means be a female, but a black curly-headed boy, and that no lights or fires on any account be taken in, or out of the house and premises during Christmas time. Woe betide the individual who has the hardihood to disregard any one of these time-honoured observances:—the least thing that can befall him will be a run of ill-luck during the whole of the coming year.

Christmas-day is ever redolent of roast beef, roast goose, and indigestible plum-pudding, and rum or brandy sauce to boot—and New year's day is spent much after the same fashion as Christmas-day.

During the whole time of Christmas, the Church and the houses are decked with twigs of laurel and holly. The "Fond Plough," or "Plough Stott," and "Sword-dancers," dressed up in grotesque habits pay their annual visits to the Parish at this season of joviality, to partake of its hospitalities and good cheer, for which the Parish is proverbial.

"St. Valentine's Day" has still its votaries in this Parish amongst the young unmarried of both sexes.

"Collop Monday" is still observed so far, at least, as the dining on eggs and collops on this day is concerned, but the people of Mashamshire do not by any means on this

day take their leave of flesh meat, previous to their entering upon the solemn season of Lent, as they formerly did in the Roman Catholic times.

“Pancake Tuesday” is also observed by the ringing of the pancake-bell at 11 a.m., and by afterwards dining upon pancakes, but not I fear by the confessions of sins, as in times previous to the Reformation. During the last generation, as if by way of contrast to the strictness in which it was formerly observed, the day was spent in cock-fighting, and the night in dancing, card-playing, and revelry—but this is all past away. Within the time of my own recollection the day was observed as a holiday for school-boys and apprentices, and was generally spent in playing at “knorr-and-spell,” &c., in the Marfield, as well as at other places in the Parish.—It is now but little observed.

On “Ash-Wednesday” the good people of Masham certainly do not put on sack-cloth and ashes. Our fathers and grandfathers used so far to observe this day as to dine on salt-fish; but we, of the present generation, dine on what we like best or rather upon what some of us can get, and the day is not now otherwise observed.

At the beginning of Lent the most inveterate of card-players (and their number was legion) used to lay aside their packs of cards, and would not on any account, so much as touch them during the whole season of Lent; but now, however, the practice is very different.

“Good-Friday,” however, is better kept now than it was some thirty or forty years ago, although by no means so well observed as it ought to be. The farmers and tradesmen during the last generation used to follow their usual occupations on this day as on other week days; the former, however, deeming it unlucky to break, or turn up the soil on this day, employ their teams and their labourers in the leading and clearing away of rubbish, and otherwise cleaning their farms, and thus contrive to cheat the devil.

On “Easter Sunday,” young men and boys, by prescrip-

tive right, take the liberty of taking the shoes from off young women's feet, and of keeping them till redeemed by a payment of money; and on Easter Monday, the young women in exercise of the like right, possess themselves, as best they can, of the hats of the young men and retain them until they are redeemed by a like payment.

"All-Fools Day" (the 1st April) and "May-gosling day" (the 1st May) are never allowed to pass over without some body or other being sent on sleeveless errands.

In Rogation Week, or on one of the three days before Ascension day, or Holy Thursday, it was formerly the custom to perambulate the bounds of the Parish, and on those occasions meat and drink were provided for the parties taking part in the perambulation. About the year 1640, the people of Ellington turned refractory, and refused to provide meat and drink for the perambulation; accordingly we find that at the Ecclesiastical Court held in Masham Church, on the 19th May, 1640, John Cornforth, of Ellington, was presented and afterwards excommunicated, "for not providing bread and drink for the perambulation according to ancient custom." No perambulation of the Parish has taken place within the time of living memory.

"Royal Oak Day" (the 29th May) is still observed by the boys decking themselves and the Grammar school, with the leaves of the oak. Formerly the church-bells were rung on this day, but the practice has been discontinued.

Whitsuntide is now only kept in remembrance by the annual feast, and the dance after it, held at Healey, on Whit Tuesday.

The "Sheep Shearing," and the "Mell-Supper," at the conclusion of the harvest, have always been, and may they long continue to be, in this parish, seasons of festive merriment.

The "Masham Fairs" have ever been pregnant with

roast-beef, pickled-cabbage and strong ale, to which by the laws of hospitality prevailing in the Parish, all comers are ever welcome: every individual, however humble his circumstances, considering it his bounden duty to provide a plentiful supply of these indispensable articles for consumption on these occasions.

“Riding the Stang” for offenders against the laws of conjugal propriety, has become, by long usage, an institution in this Parish. The offender, however, instead of being mounted *in propria persona*, and borne backwards upon the stang or pole, is here represented by an effigy, which is publicly carried about the town in a cart, and thus exhibited for three successive nights. On the last of those nights it is burned at the Market-cross, and an oration in doggerel rhyme, composed for the occasion, pronounced over it by way of warning to all persons in likeways offending.

The feast in honour of Bishop Blaize,* the patron Saint of the Woolcombers, and who is said to have been the inventor of woolcombing, was formerly held here annually, on the 3rd Feby., when it was duly commemorated by the woolcombing fraternity by a supper, and a swill—for the “jolly combing-boys” were always “thirsty souls”. This, at least, was the course pursued in ordinary years, but on some special occasions, something grander and more imposing, as a spectacle, was not only attempted, but attained by them. On these special occasions a grand procession was formed, which being preceded by a band of music, promenaded not only the streets of the town of Masham, but those of other neighbouring towns. The procession was composed of master woolcombers on horseback, each wearing a white sliver of wool; woollsorters, also on horseback, each car-

* St. Belasius is generally represented as Bishop of Sebaste in Armenia, and as having suffered martyrdom in the persecution of Licinius, in 316. The fact of iron *combs* having been used in tearing the flesh of the martyr, appears the sole reason of his having been adopted by the woolcombers as their patron saint.—“Book of Days.” vol. i, p. 219.

rying a fleece before him, and bright and glittering shears; the shepherd and shepherdess dressed in green, and bearing shepherds' crooks; the Bishop, on horseback, dressed in his mitre and full canonicals, bearing an open Bible in one hand and a woolcomb in the other, attended by guards and attendants, and accompanied by his chaplain (who acted the part of the orator on the occasion); followed by the working woolcombers and others connected with the trade, on foot, in shirts as white, and as neat, as women's hands could make them, each gaily decked with cross-belts, sashes, and bracelets composed of parti-coloured slivers of wool; the rear of the cavalcade being brought up, as if by way of contrast, by an old charcoal-burner with grimy face, and a short tobacco-pipe stuck in his mouth, smoking like a steam-engine, and mounted upon an ill-favoured mule, with trappings to match its rider. The cavalcade, it must be admitted, presented—with the glittering paraphernalia and other emblematic figures and devices, representing Jason and the golden fleece, &c., which were used on the occasion—a novel yet somewhat imposing appearance, and created no little interest in the place. The procession occasionally came to a halt, when the orator delivered himself of the following grandiloquent oration:—

“From an infinite variety of blessings conferred by Providence upon the inhabitants of Great Britain, none seems to be of greater importance, or of more general utility, than that of the Golden Fleece, which was little known to the people of this happy Isle until the glorious reign of Edward the Third. About that period, according to tradition, Bishop Blaize [here the orator gracefully extended his hand towards the Bishop, and the Bishop, in acknowledgment, made a low but very dignified obeisance] first introduced the combing of wool into this Kingdom,* and *we* have the honour to be his

* I confess I cannot see how the Bishop, after being dead some thousand years, could introduce the art of woolcombing into England, as here boldly

successor in that important mystery which employs such a number of our fellow-creatures, and not only contributes to the improvement of Masham, but, more than all the rest, to the splendour and dignity of the British Crown. Our fleets, which ride triumphant on the vast expanded ocean, and carry terror to the utmost limits of the torrid zone, are chiefly supported by the manufacturers of this kingdom, where we claim precedence; therefore, with grateful hearts, let us celebrate this glorious day to the memory of the immortal Blaize, till time shall be no more. God save the Queen, and the inhabitants of this place." [Here, again, the Bishop made his obeisance, the company cheering most vociferously, and the Bishop, in return, making his acknowledgments with all the gravity and *nonchalance* of a veritable Bishop].

On the conclusion of the oration the company proceeded to sing, in full chorus, the following song* in

asserted: probably the woolcombers can explain it. No doubt the Bishop was a wonderful person, for it was said, and believed, that, by a charm in his name, a thorn could be extracted from the flesh, or a bone from the throat—it only being necessary to hold the patient, and say, "Blaize, the martyr, and servant of Jesus Christ, commands thee [in the case of a bone in the throat] to pass up or down; [in the case of a thorn] to come forth;" and the command was instantly effectual.

* Although I have been at some trouble in order to ascertain the name of the tune in which this song is sung, and of its composer, I have been unable to arrive at anything satisfactory. My friend, Mr. William Jackson of Bradford, writes me thus upon the subject:—"I can give you no information about the tune to which the Bishop Blaize song was sung. I copied it down from poor old Jack Harrison's singing, but do not find it in any collection of old English airs, nor have I ever found it known out of the district. My own opinion is, that it is local, and not very old, say about the middle of last century. The verses of the song were written (so I have understood) by Mr. Wrather, the father [Qy. brother] of the late Samuel, and captain; and it is not improbable that the tune may have been composed or modified by old George Thornberry, who was leading singer at the Church, and on whom the epitaph [mentioned *ante* p. 402] was written. Thornberry, from the many anecdotes I have heard of him from my mother, must have been a man of considerable genius in musical matters, though somewhat churlish about imparting his knowledge to others."

honour of Bishop Blaize:—

“ My friends, the day of Bishop Blaize is here—
 The joyful'st day we have in all the year,
 Wherein all tradesmen may rejoice and sing—
 From a woolcomber to the greatest King.

When first the art of combing, it was found
 By Bishop Blaize—through England it did sound,
 And therefore he shall canonized be,
 Amongst the Saints, to all eternity.

Ten thousand spinners, and twice ten thousand too,
 By our brave art have daily work to do;
 Who from their wheels send forth such pleasant noise,
 In honour of *we* jolly combing boys.

Go! ask the weaver who was the first trade,
 Whose approbation here it may be had—
 For what fine stuffs, or serges, could there be.
 Without the art of combing mystery?

Here's a health unto our masters, we'll begin,
 And then we'll drink a health unto the King.
 What one invents the others do support—
 Whilst Indians mourn, *we* true Britanni-
 ans sport.”

I have been thus particular in recording and describing the Feast in honour of the “immortal” Bishop, because I do not think it likely that the proceedings here described will ever be repeated, in Masham at least, or otherwise perpetuated, except by the aid of these pages. Although woolcombing was at one time the staple trade of Masham, yet, in consequence of the introduction of improved machinery for the combing and dressing of wool without manual labour, and other causes of a private nature, the trade has now ceased to exist in the place; and the wool, which is still bought up in large quantities in this neighbourhood, is sent off, in the raw and unmanufactured state, to Bradford and other towns, without affording any employment to the people in this district.

APPENDIX.

A.

CHARTERS AND OTHER EVIDENCES RELATING TO MASHAMSHIRE.

No. 1.

*Grant from King William the Conqueror to Earl Allan, of Earl Edwin's
Manors and Lands. Date A.D. 1071.*

[A TRANSLATION].

I, William, surnamed the bastard, do give and grant to thee, Alan,* my nephew, Earl of Bretagne, and to thy heirs for ever, all the towns and lands which lately belonged to Earl Edwyn,† in Yorkshire, with the Knights' fees, Churches, and other privileges and customs, in as free and honourable a manner as the said Edwyn held them.

Given from the siege before York.

No. 2.

*Extract from Domesday Book, translated by the Rev. Wm. Bawden, so far
as it relates to the Parish of Masham and neighbourhood.*

Yorkshire.—The land of Earl Alan.

In Ellintone (Ellington) to be taxed six carucates,‡ and there may be four ploughs. Gospatric§ (two carucates) and Norman (three carucates and two oxgangs), and Torchil (six oxgangs)|| had three manors there. The same Gospatric now has what he had, of the Earl. In the demesne one

* See *ante*, p. 209, for an account of Alan Rufus or Fergaunt, the Earl here referred to.

† See *ante*, pages 56, 71, 206, and 209, for an account of Earl Edwin here alluded to.

‡ A carucate is of uncertain extent, being as much land as one team can plough in the year. It varied from 120 to 180 acres.

§ "Gospatric was a noble Saxon, whose lands were not at first seized by the Conqueror: he was even received into favour, and, on payment of a large sum of money, was created Count of all the Country north of the Tyne; he appears to have demeaned himself with great servility, but all was not sufficient to make William forget that Gospatric was an Englishman. Within less than a year he deprived him of the dignity for which he had paid, and made him no restitution. The reason alleged was, that Gospatric had fought in the defence of York, and taken part in the insurrection in which Robert Comine perished. Seized with chagrin and remorse the Saxon for ever abandoned his native land, and settled in Scotland, where his descendants long continued to dwell in honour and opulence."—Grainge's *Nidderdale*, p. 72; see also *ante*, pages 4, 55, 56, and 69.

|| An oxgang is also of uncertain extent, being as much land as an ox can plough in one year which is generally taken to be 15 acres, or, as others allege, 20 acres.

plough, and three bordars * with one plough. In the rest of the land the Earl has six villanes,† with three ploughs. Meadow six acres. The whole one mile and a half long and half a mile broad. Value in King Edward's time forty shillings, now thirty shillings.—[*Orig.*, 312, a i.]

In Siwartorp ‡ (Siwarthorp) to be taxed one carucate, and there may be one plough. A moiety of this is in land of Massan (Masham). Torchil had it, now the Earl, and it is waste.

In Sudtone (Sutton) to be taxed one carucate, and there may be one plough. Norman had a Manor there. Earl Alan now has it, and it is waste. The whole half a mile long and half broad. Value in King Edward's time, ten shillings.

In Federbi (Fearby) to be taxed three carucates, and there may be two ploughs. Gospatric and Eldred had there two manors. The Earl has them now, and Gospatric of him. Eight villanes and one bordar have there two ploughs and a half. The whole half a mile long and four quarantens § broad. Value in King Edward's time, ten shillings, now sixteen shillings.

In Hilecheton (Hilton) to be taxed two carucates, and there may be two ploughs. Archil || had a manor there. Gospatric has now there one plough and three villanes and two bordars. The whole half a mile long and half broad. Value in King Edward's time, sixteen shillings, now eight shillings.

In Massan (Masham) to be taxed twelve carucates, and there may be eight ploughs. Gospatric had there one manor. Ernegis has now there one plough, and ten villanes and three bordars with five ploughs. There is a church.

To this manor belong the berewicks ¶—Tuislebroc ** (—), three carucates; Swinton (Swinton) three carucates and a half; and Sudton (Sutton), one carucate—to be taxed seven carucates and a half, and there may be four ploughs. They are waste. The whole manor, with the berewicks, one mile

* A Boarder was a person who held a cottage and a small parcel of land attached to it, upon condition that he should supply the lord with poultry and eggs, and other such like provisions for his board or entertainment.

† A Villain was one who held lands by a base or servile tenure, or in *villainage*. There were two kinds of Villains, viz: *Villains regardant*, that were annexed to the land; and *Villains in gross*, or at large, that is, annexed to the person of their lord and transferable by deed from one owner to another. These villains could not leave their lord without his permission, and if they ran away, or were purloined from him, he could recover them back by action, like beasts or other chattels. In later times they became enfranchised by manumission, and in process of time were permitted by the lords to enjoy their possessions without interruption in a regular course of descent, so that in the end the common law gave them title to hold it in spite of the lord's will. These villeins generally held their lands agreeably to the custom of the Manor entered in the Rolls of the Court Baron. They afterwards were called tenants by copy of Court-roll, and copyholders are therefore no other than villeins whose tenure was a copyhold. Lord Macaulay in his "History of England," attributes to the influence of the Roman Catholic religion the extinction of this species of domestic slavery.

‡ See *ante*, pages 53 and 54, as to Siwardthorpe.

§ A Quaranten is 40 perches.

|| Archill was one of the great barons who took up arms against William the Conqueror, as will be seen *ante*, p. 57.

¶ A Berewick is a village or hamlet belonging to a manor.

** As to Tuislebroc see *ante*, p. 53.

long and one broad. Value in King Edward's time, six pounds, now sixteen shillings.

In Clifton * (Clifton) to be taxed three carucates, and there may be two ploughs. Canute had there a manor. Donewald now has there one plough, and three villanes with one plough and a half. The whole half a mile long and half broad. Value in King Edward's time, eight shillings, now five shillings.

In Welle (Well) to be taxed eight carucates, and there may be six ploughs. Torchil had there a manor. Bernulf has now there two ploughs, and six villanes and six bordars with three ploughs. There is a church and a priest there. The whole one mile long and one broad.

To this manor belong the berewicks—Burtone,† (Burton), four carucates. Opetone (Upton), four carucates—Alchebi, four carucates, to be taxed together twelve carucates, and there may be eight ploughs. There are now there twenty-six villanes, and four bordars with fourteen ploughs. Meadow, four acres. Coppice wood. The whole half a mile long and half broad. The value of the whole manor was in King Edward's time, forty shillings, now sixty shillings.

In Fredebi (Firby) to be taxed five carucates, and there may be four ploughs. Auduid had a manor there: Earl Alan has now there seven villanes and three bordars with four ploughs. The whole half a mile long and half broad. Value in King Edward's time, ten shillings, now thirteen shillings.—[*Orig.* 312. b. i.]

In Bedale (Bedale) to be taxed six carucates, and there may be four ploughs. Tori had there a manor. Bodin now has there two ploughs and seventeen villanes and five bordars with five ploughs. A Church and a mill of five shillings. Meadow, six acres. The whole one mile long, and half broad. Value in King Edward's time, twenty shillings, now thirty shillings.

In Echescol ‡ (qy. Aiskew) is soke belonging § to Massan (Masham) to be taxed ten carucates, and there may be seven ploughs. Earl Alan has now there five villanes, and one bordar with three ploughs. Coppice wood. The whole one mile long and half broad.

* Clifton, Well, Firby, Bedale, and Aiskew, are not part of Mashamshire, but are only introduced here on account of their being in the immediate neighbourhood of, and their evident connection with the place.

† Burton, it will be seen, was formerly a Berewick or Village, belonging to the township of Well. The township of Burton-upon-Yore, although situate within the parish of Masham, does not form any part of Mashamshire. It consists now of three distinct manors. The Aldborough estate, together with the Greens and Nutwith Cote, are parcel of the manor of Aldborough Grange, of which John T. D. Hutton, Esq., is the lord. The Little Burton, or Low Burton estate, is another manor, of which G. J. Yarburgh, Esq., of Heslington Hall near York, is the lord; and Great Burton, or High Burton, as it is now called, is another manor, of which James Pulleine, Esq., of Clifton Castle, is the lord.

‡ The name of this place signifies on the other or opposite side of the water, which answers to the description of Aiskew, which is on the opposite side of the water to Bedale.

§ It would seem from this that Aiskew was formerly in some manner dependant upon the manor of Masham, and that its tenants would consequently be required to do suit and service at the Court of the Lord of Masham; for soke, in law, was an ancient privilege which a Lord of a Manor claims in his Court of holding pleas in causes of debate arising among his tenants and vassals; and of imposing and levying fines and amercements touching the same. The word is saxon and literally signifies cause, contest, and thence right of jurisdiction, &c.

No. 3.

*Grant from Earl Alan to the Monks of Fountains relating to Aldburgh.—
Date between A.D. 1137 and A.D. 1165.*

[TRANSLATION.]

Alan, * Earl of Brittany and England, to his steward and constable and chamberlain and all his barons and men, French and English, greeting. Know ye that I, for the soul of my father and my mother, and for myself and the Countess Bertha my wife, and for my heirs, have granted in alms; and, for their perpetual benefit, given to the Monks of Fountains, all the wood which appertains to Marsam which is on that side of the river Yore where Burton stands, to build therewith a certain abbey of their order. And on the other side of the aforesaid [river] towards Marsam I grant and give to the aforesaid monks, Rumore and Bramley, to the use of the aforesaid Abbey, by the name of Aldeburne. These being witnesses, Richard son of Eustace Fitz John, Scolland the steward, Ruald the constable, Warin Fitz Wymer, Hugh Fitz Jarnagote.

No. 4.

Grant from Earl Alan to Roger de Mowbray, of Mashamshire (without date but made between A.D. 1135, and A.D. 1140). R. Pat., A. 20., H. vi., p. 6.

[TRANSLATION.]

Alan, Earl of England and Britain, to all barons of Richemonschire and to all his men, French and English, greeting. Know ye, that I have granted and by this present charter confirmed to Roger de Molbrai, Massaham, with all its appurtenances in wood, and in plain, in meadows, and in pastures, in waters, and in mills, in chases, and in warrens † with all its liberties and free customs, to hold of me and my heirs, to him and his heirs, as freely, and as

* This Earl Alan was surnamed "the savage," and was the son of Earl Stephen, as will be seen *ante* p. 209. He was an active partizan of King Stephen's in his contest with the Empress Maud. He committed great spoil at Ripon, upon the demesnes and tenants of the Archbishop of York. Notwithstanding his having made this Grant to the Church, he is described as having been a most deceitful wicked person. His Countess Bertha, whom he here mentions, was the eldest daughter and co-heir of Conan le Grosse.

† The mention in this early charter of a *chase* and a *warren*, is somewhat confirmatory of my own supposition, that the free chase and free warren of Mashamshire, existed so far back as in the Saxon times. It is true that a free warren in Mashamshire was granted, long after this date, viz: the 35 Henry III., A.D. 1250, to John de Wauton, the then lord of Mashamshire, but it is not to be taken for granted, that because a free warren was then granted to the lord of the Manor, no rights of free warren had previously existed in the place, for these Royal Grants were in former times frequently sued for, and granted, as and by way of confirmation only of previously existing rights which were claimed by prescription, and to be used as evidence of such rights in case they should ever afterwards be called in question by proceedings in *Quo Warranto*. The words, however, "in chases and warrens," may after all have been only used here as general words, so as to include rights of free chase and free warren, if any such existed, and may not in strictness imply that a chase or free warren could have been then claimed. This last observation, however, will not apply to the actual mention by name of the "Forest of Masham," in the charter dated A.D. 1259, hereinafter referred to.

quietly and as honourably as ever Nigell de Albeni his father better held the same of Earl Stephen my father, and by the same service, to wit, by one Knight's service, as far as to the bounds of Witton. Because I would not that any strife should arise concerning the mortgage * of the same Masham which he the same Roger made to me, to wit, for a hundred marks of silver, seeing I can claim nothing thereout (except the service aforesaid) after the discharging of the aforesaid mortgage. And these are the metes of the bounds of Witton and of Massamshire, to wit, where Esewath (Brig-with-wath) is on the west part of Witebeck as it flows into Ior, and from Esewath to Kelgrmebro (Kilgram Howe Grange), and from thence to Delacher (Charekeld), and from Delacher to Blaypot (Claypit), and from thence to Seilekelde (the Well in Newstead Pasture), and from thence to Holegill (Lambert-gill), on the west part as Macheresgate (Marketgait) ascends between two Hole Gills (Lambertgill and Leygill), and from thence to Kempstaines (Castle-hills), and afterwards as the waters separate themselves, some of which stretch out to the north towards Witton, and some to the south towards Massahamshire, and as the waters separate themselves, on the north part of Caderland (Caldberg), and of Burnelneshage (Ellers-hall) as far as to the bounds of Coverdale, and to Nidderesho (Myers) to the bounds of Ralph the son of Ribald. *Witnesses*, Scholand the Steward, Ralph the son of Ribald, Hugo the son of Gernagan, Hervey the son of Acharius, Roger the son of Gien'm, Alan the Butler, Robert the Chamberlain, Copsis the son of Archillus, Theobald the Clerk, Samson de Albani, Bertram Hagel, Adelmus de Aldefield.

And this to all whom it concerns, we, by these Presents, do make known. In testimony whereof, &c. Witness the King at Westminster the 10th day of June.†

No. 5.

Grant from Roger de Mowbray to the Monks of Fountains, of Aldburgh near Masham.

[TRANSLATION].

To all the Sons of Holy Mother Church, present and to come, Roger de Mowbray, greeting. Know ye that I, for the salvation of the soul of me and my wife and my children, and my father and my mother, and all my relatives, have given in alms to the Monks of St. Mary of Fountains, Aldeburgh, as a grange, free and quit from all services and whatsoever appertains thereto on that side of the river Yore, in wood and plain and fields

* The Mortgage here alluded to was in all probability effected by Roger de Mowbray for the purpose of enabling him to take one of his expeditions to the Holy Land as a Crusader, as we know from other sources that he borrowed large sums of money for this very purpose.

† The grantor of this charter was the Earl Alan who was surnamed "the savage," as mentioned in the foot note *ante*, p. 472. It appears by this charter that Mashamshire had previously to this been granted by Earl Alan's father (Earl Stephen) to Nigel de Albini, the father of Roger de Mowbray, and that this is merely a confirmation of such previous grant. Samson de Albini (one of the witnesses to this and the following charter) was the rector of the church at Masham, as will be seen *ante*, pp. 319 and 320.

and meadows and waters, as my father (Nigel) de Albini formerly gave the same to the monks of Pontiniac (Ponthieu[?]), and common of pasture on the other side of the water, in Swinton, and Rumore, and Nutewith, and on the same side the soil of their pool to construct a mill. These being witnesses, Samson de Albini, Matthias de Rampamme, Ralph de Bellun, Walter de Rivere.*

No. 6.

Extract from Vol. v., p. 569, of Dugdale's "Monasticon Anglicanum," relating to Grants from Roger de Mowbray to the Monks of Jerveaux.

[TRANSLATION].

The Lord Roger de Mowbray, our founder, hearing that certain Monks of Savigny had begun to build an Abbey anew, [and] desiring to share in their prayers and spiritual benefits, as in those of other religious persons, with great piety and generosity of soul, gave unto the same brother Peter, land pasture and wood out of his demesne of Masham by this deed.

DEED OF ROGER DE MOWBRAY.

Roger de Mowbray to all his servants and men of Yorkshire, French and English, greeting. Know ye that I have given and granted to God and St. Mary of Charity and to Peter the Monk and his brethren of the Abbey upon the river Yore, all the land and all the wood as the way goeth from Brigwath (Brigwith wath) unto Whiteberchvade (Whitebeck wath), and beside this [liberty] to fish in Higlamore (Eelmire-dub), and the warren and pasture of my whole wood. And I will that they have this land up to the Yore as free and quit as land can be, freely and in alms. Witness, Roger Abbot of Byland.†

No. 7.

An Extent in the 30th year of the reign of King Henry II. [A.D. 1183].

[TRANSLATION].

Concerning the Carucates of Lands in Richmondshire, and how many

* This grant appears to be merely a confirmation of a grant previously made by Nigel de Albini to Fountains Abbey. It will be seen that this charter grants to the monks of Fountains, *common of pasture* in Swinton, Roomer, and Nutwith, and not the land itself. I remember when Nutwith and Roomer common was about being converted into a stinted pasture as it now is, the late James Henry D'Arcy Hutton, Esq., of Aldborough Hall, in laying claim to Nutwith and Roomer as belonging to Burton people exclusively, objected to all the claims put in by the several other freeholders throughout the parish. The freeholders, however, fully established their claims by evidence of immemorial usage. A reference to this charter will shew how such claim has originated, and at same time how absurd and unfounded it was.

It will be seen that mention is made of a mill which was about to be constructed at this early period.

† The land here granted by Roger de Mowbray was then part of Masham Parish. By this grant the boundaries between Masham parish and the parish of East Witton became altered, and the consequence in after times was, that it gave rise to litigation, as mentioned *ante*, pages 22, 23, 105, and 120.

Higlamore, mentioned in this charter, is what we now know as "Eelmire-dub."

there are in every Wapentake, by [their] Villis, in the 30th year of the said King Henry II.

Carucates in Hang Wapentake:—

Ellyngton	6 Carucates.	Twisebrok*	3 Carucates.
Swarthorp*	1 Carucate.	Swynton	3½ do.
Sutton	1 do.	Clifton	3 do.
Fetherby	3 Carucates.	Welle	8 do.
Ilketon	2 do.	Burton	4 do.
Masham	12 do.	Hopeton	4 do.

No. 8.

Fine between John de Wauton, Plaintiff, and Roger de Mowbray, Deforcient, relating to the Forest of Mashamshire. Dated 44 Hen. III., A.D. 1259.

[TRANSLATION.]

Fine 44th. } Between John de Wauton,† Plaintiff, and Roger de Mowbray,
Henry 3rd. } Deforcient, reciting previous fine between Roger de Mowbray,
York No. 33. } (great grandfather of the aforesaid Roger) and Nigel his son, Plaintiffs, and John de Wauton (great grandfather of the aforesaid John) of bounds of Massham, and Malesard [Kirkby-Malzeard] whereof the aforesaid John is now deforced) whereby the aforesaid Roger grants to the said John all the forest of Massham, ‡ by the bounds § underwritten, to wit, from Ior [Yore] unto

* It appears by this document that the villages of Siwardthorpe and Tuiselbroc (which are mentioned in the Domesday Survey) were still in existence at this date (A.D. 1183). This, however, is the last mention we have of them. They were probably altogether destroyed by the Scots in one of their many incursions into these parts. In the year 1314 the fatal battle of Bannockburn was fought, in which, the Scotch historian Buchanan, says, that 50,000 Englishmen were slain upon the spot; and the Scots afterwards entered England and laid waste the country with fire and sword. The people of Ripon and Northallerton each paid the Scots 1000 marks to spare those towns. The towns of Skipton and Knaresborough were however burnt.

† The John de Wauton here mentioned, was the Sir John de Wauton mentioned *ante*, p. 219 (the son of John de Wauton, who died A.D. 1230). The object of this fine is merely to confirm the title to Sir John de Wauton.

‡ The Forest of Masham and Mashamshire it will be seen is here, as in several other early charters, expressly mentioned by name—although it is true that nine years previous to the date of this charter a grant of a Free-warren had been made to John de Wauton, the then Lord of Mashamshire. The calling of it here “a Forest” cannot have had any reference to that charter, for a Free-warren and a Forest are two very different things, as these early lords very well knew. I would especially direct the reader’s attention to the last clause in this charter which provides for the case of “beasts” raised in Masham running into the Kirkby-Malzeard liberty, and authorizes the Lord of Mashamshire to follow such beasts into such liberty and to take and chase them. These words it should be observed are wholly inapplicable to a Free-warren, but are applicable to a Forest or Free-chace—see my observations on this subject *ante*, pages 43, 44, 45, 46 and 47.

§ In reference to the boundaries mentioned in this charter, I may mention that it appears by “Coke’s Entries 565, and 566” that some proceedings on a Writ of *Rationabilibus Divisis* were taken in the 10 and 11 Queen Eliz. A.D. 1568., in a suit between Sir Christopher Danby, Knt., and Edward Lord Derby, respecting the boundaries of the manors of Kirkby-Malzeard and Masham, and that the dispute was settled by an award, dated the 5th October, 12 Eliz. A.D. 1570, made by Sir Richard Sherbourne, Knight., Wm. Tankard, Esq., Robt. Sherburne, Esq., and Wm. Wycliffe, Esq., whereby it was settled that the boundaries should be as follows:—“From the Weste end of Nutwith and so upon Sinderhowe, and from thence to a hill next toward the south of Roger Crosse, as the water doth descend toward Masham otherwise called the Holystone, and from

Synderho [Sinder-howe] so that Notewyt [Nutwith] shall remain in common between the townships of Masseham and Malleshard [Kirkby-Malzeard] and from Sinderho unto the hill which is nearest towards the south of Roger's Cross [afterwards called New Cross] as the water floweth down from thence towards Masseham, and so unto the hill above Pylesden [Pillisden] and thence by the top of the hill unto Frosthrynldesdo [Throstle-how] and from Trosthrynldesdo by the top of the hill unto the bounds of Ralph Fitz Ranulph [Coverdale] and thence unto the bounds of Wytton [East Witton]* as that which is appurtenant to the same lands which the same John holds

thence to the toppe of a hill called Pyllesden, otherwise called Wolstonbaurch alias Wolstock-baurghe." It also appears by an ancient record without date (but supposed to have been made about A.D. 1600) found amongst the Court Rolls of the adjoining manor of Kirkby-Malzeard, that the boundaries of that manor were found to be as follows :—"The bounders of the manor of Kirkby-Malzeard as they were settled by Sir John Saville, Mr. Pepper, Surveyor of the Court of Wards, Mr. Jackson, the Queen's Attorney, and Mr. Bland, Justice of the Peace, Commissioners, bet. the Right Honble. William Earl of Derby and Stephen Prockter, Esq., by virtue of a Commission siten upon at Kirkby-Malzeard, the 30th of August, and so continued until the 3rd September, touching the Royalties of Kirkbyshire."—"1.--From Wools Wath to Frost Stone. 2.--Thence to Headlesse on Nutwith Edge. 3.--Thence to the Crosse at the West end of Nutwith. 4.--Thence to Sinderhow Hill. 5.--Thence to Snout Eller Cross. 6.--Thence to Cattgill Head Cross or Roger Cross. 7.--Thence to the Writhen Stone. 8.--Thence to Hambleton Hill. 9.--Thence to Kettlestang Cross. 10.--Thence to Dowbergill. 11.--Thence to High Cross on Dallow-moor. 12.--Thence to Meer Syke. 13.--Thence to Skellbeck Head, and so along Skell leaving out the soite of the Monastery. 14.--Thence to Hellwath. 15.--Thence to Baron-way. 16.--Thence to Studley Stone. 17.--Thence to Clotherholme Cross and Ridley Causeway. 18.--Thence to Calf Gill. 19.--Thence to Mowbray Wath and Monkstone moor. 20.--Thence to the River Ure—Woolswath."

* As to the boundaries between Mashamshire and East Witton—In the year 1608, disputes having arisen as to these boundaries, between Edward Lord Bruce, and Christopher Danby, Esq., the former filed a bill in the Rolls Court against the latter, whereupon the matter in dispute was referred to Sir Thomas Fairfax, Knt., and Richard Hutton and John Jackson, Esqrs., who accordingly made their award (and which award was afterwards confirmed in Chancery, on the 28th of January, 1608) to this effect.—"We order that the said Edward Lord Bruce shall enjoy to him and his heirs all that parcel of ground called Witton-fell, by the known bounds thereof without the let or interruption of the said Christopher Danby or his heirs, and that his Lordship and his heirs be at liberty to enclose the same in severalty for that we conceive the same has been used as a stinted pasture by the tenants of East Witton : And likewise we think it fit and do order that the said Edward Lord Bruce shall enjoy to him and his heirs a house and certain enclosures or improvements called Sowden Beck, otherwise Sowden beck Closes, or Pasture called Ramsey Pasture approved and taken off the common, 300 acres of moor to be approved and taken off the Common next and most conveniently adjoining to Hammer-Wood, and his Lordship to enjoy the same to him and his heirs against the said Christopher Danby and his heirs, and all persons claiming under them, and because it was intended that the 300 acres, together with Hammers and Ramsey, and such other grounds as his Lordship should think fit were to be imparked and inclosed for the preservation of deer. We think it fit and do order that his Lordship shall maintain the pale and fence of the said park in such sufficient manner without Taltries, as the deer in the chase may be kept out. And we order and think fit that all the said grounds that be enclosed as aforesaid and all other grounds severals and inclosures of his Lordship in Kilgram, Jerveaux, and East Witton, shall from henceforth for ever be discharged of all liberty of chase against the said Christopher Danby and his heirs, saving that it may be lawful for the said Christopher Danby and his heirs by their keeper or servant (if any) of the deer come within the said grounds, severals, and inclosures other than the park aforesaid, to tuft the ground and to shake off his or their bounds to bring them out. Likewise we order and think fit that the residue of the said moors betwixt the said inclosures and Colsterdale shall from henceforth be open and be used as now they are and heretofore have been : And we further order and think fit that the said Christopher Danby and his heirs shall hold and enjoy Colsterdale against the said Edward Lord Bruce and his heirs, for that it did appear that the same did belong to the said Christopher Danby."

Another dispute having arisen as to the directions in the above award, that the moors be-

of fee of the same Roger in Massamshire, to have and to hold to the same John and his heirs of the same Roger, and his heirs for ever; so that if the said John or his heirs, or any freeman of his household are with their dogs and harriers at Massham, and the said dogs and harriers run from the aforesaid forest of the same John to the forest of the aforesaid Roger, the said John and his heirs or the aforesaid household, shall have the chace of beasts raised in his aforesaid forest of Masham, to take and chace the said beasts without impediment, &c.

No. 9.

Grant of the manor of Masham from Sir John de Wauton, to his son John de Wauton, dated before A.D. 1230.

[TRANSLATION.]

Know all men present and to come that I, John de Wauton, Knt.,* have given and granted and by this my present writing confirmed and entirely quit-claimed for ever to John de Wauton my son, all my Manor of Masham with all its appurtenances to wit, the capital messuage with the buildings, with all the demesne lands tilled and untilled, woods, moors, plains, meadows, feedings, pastures, chaces, warrens, piscarys, turbarys, streams, ponds, mills, homages, fealtys, villains, with villenages and with all their chattels and sequels, and with all other things whatsoever belonging to the aforesaid manor, to have and to hold the aforesaid manor of Masham, with all its appurtenances before named and not named to the said John de Wauton my son, and his heirs or assigns of the chief lord of the fee, freely, quietly, and wholly, well, peaceably and hereditarily for ever, doing therefore to the chief lords of the fee, the services therefore due and accustomed :

twixt the inclosures and Colsterdale should be open and be used as they had theretofore been, such dispute was by a bond made by William Danby, Esq. (the father of the last William Danby) and Thomas Bruce, Earl of Ailesbury, dated the 28th February, 1778, referred to the arbitration and award of Peter Johnson, Esq., of York, who by his award dated the 9th Nov. 1779, awarded and finally determined that the boundary of the manors of East Witton and Masham as against each other in and upon the moors ordered by the said former award to lie open, is in a line beginning at a stone or place at the east side of the moors known by the name of Tranmire, and passing from thence westward and directly across the same open moors to the north side of a place called Turn Lodge, and from thence to the brow of the hill called Brownrigg, and from thence to a place situate on the western side of the same open moors called or known by the name of Kempstones, where the said boundary terminates : And the arbitrator did thereby further award and finally determine that so much and such parts of the said moors by the said former award ordered to lie open as aforesaid, as lie and are situate on the north or northerly side of such boundary so thereby described as aforesaid are wastes belonging to the manor of East Witton, and not to the manor of Masham aforesaid : And that so much and such parts of the said moors by the same former award ordered, are ordered to lie open as aforesaid, as lie and are situate on the south or southerly side of such boundary so hereby described as aforesaid are wastes belonging to the manor of Massham, and not to the manor of East Witton aforesaid.

I have already elsewhere stated, that the ancient Parish of Masham formerly extended further in the direction of East Witton than it does at present, and we here see by the words in italics that the Forest, or Free-chase of Mashamshire, formerly included in its bounds Kilgram, Jerveaux, and East Witton.

* The Sir John de Wauton, the grantor in this grant, was the son of Gilbert de Walton or Wauton, as mentioned *ante* p. 219.

and I, the aforesaid John de Wauton, Knt., and my heirs or assigns, will for ever warrant to the said John de Wauton my son, his heirs or assigns, against all Nations as well Christians as Jews, the aforesaid manor of Masham, with all its appurtenances and all other things before named and not named as is aforesaid: And that this my gift, grant, and confirmation of this, my present writing and release, may be of continual force, I have to these presents set my seal—these being witnesses—S'rs Brian the son of Alan, Ranulph of Penill, Hugh the son of Henry Coald of Richmond, William of Scargill, Hugh of Ask, Knt., Askik of Clesby, Roger Tysel, William Scrop, John of Rich, Richard of Penton, Hugh de Langton, Robert de Moncton, and others.

No. 10.

Extract taken out of the Exchequer as to the lands in Masham, with Little or Low Burton, Healey, and Sutton, Ellingstring, Ilton, Ellington, Aldburgh, and Fearby, in the 13th Edwd. I, A.D. 1284.

[TRANSLATION.]

Massham with Little Burton.—There are 27 acres [carucates] of land there and they answer for one Knight's fee, and there are 6 carucates of land there whereof the Master of the Knights Templars in England, holds two bovates of land in pure alms, and the remainder is holden of John de Wauton, and the same John, of Roger de Mowbray; and the same Roger, of John de Brittany; and the same John, of the King, and no service is therefore performed.

Helayghe and Sutton.—There are 5 carucates of land there which are holden of John de Wauton, and the same John, of Roger de Mowbray; and the same Roger, of John de Brittany; and the same John, of the King, whereof 4 carucates are in Heley, and 1 carucate in Sutton.

Swynton.—There are six carucates of land there, whereof twelve [make &c.] of which four carucates are holden of Ralph de Normanville, and the same Ralph holds the remainder of Hugh Fitz Henry, that is to say—two carucates of land and the same Hugh, of John de Wauton; and the same John, of the Earl; and the Earl of the King, and there is no rent [payable to the Wapentake.]

Ellingstring.—There is one carucate of land there, whereof the Abbot of Joreval holds one bovat of land of Walter de Lambert, and the same Walter holds the same and four other bovates of land of John de Wauton, and the same John de Wauton holds the remainder of Roger de Mowbray, and the same of the Earl, and the Earl of the King, and no rent [is payable] for a fine to the Wapentake aforesaid.

Ilkton.—There are two carucates of land there, which the Abbot of Fountains, the Master of the blessed Mary Magdalen, and Robert Waddesley, hold together by equal portions of John de Wauton, and the same of Mowbray, &c., as above.

Ellington.—There are six carucates of land there which Richard le

Serope, Knight, holds of John de Wauton, and the same John of Mowbray, &c., as above.

Aldeborough.—There are three carucates of land there of the fee of Massham; which the Abbot of Fountains holds of John de Wauton, and the same of Mowbray, &c.

Feyrbye.—There are three carucates of land there of which Elias Fytcherby holds two carucates of John de Wauton; and the same John, of Avice Marmyon; and the same Avice, of John de Brittany; and the same of the King; and the aforesaid Elias holds one carucate of land of Gilbert de Clyfton, and the same Gilbert of the heirs of Thornton Steward, and the same of John de Brittany, and the same of the King: and the rent by the year is 10s. 2d., but whether as a fine to the Wapentake, or to the Sheriff, no mention is made. Therefore let it be enquired of.

No. 11.

Inquisition made of the Fees in Richmondshire, taken the 15th Edwd. I, A.D. 1286.

[TRANSLATION.]

Inquisitions made of the Fees in Richmondshire before John Kirkeby, Treasurer of the Lord Edward, son of King Henry, in the 15th year of the reign of the same King, as appeareth on the Roll of Fees of the same year in the County of York; and in the Bag of Fees being in the custody of the Treasurer's Remembrancer in York.

ILKETON.

There are three carucates there which are holden of Hugh Fitz Henry; and the same Hugh holdeth of John de Wauton; and the same John, of Roger de Mowbray; and Roger, of the Earl; and the Earl of the King.

SWYNTON.

There are six caracutes of land there whereof twelve make [a Knight's fee] &c.—of which four carucates are holden of Ralph de Normanville; and the same Ralph holdeth the residue of Hugh Fitz Henry; and the same Hugh, of John de Wauton; and John, of the Earl; and the Earl of the King.

HELHE AND SUTTON.

There are in the same Vills there, five carucates of land which are holden of John de Wauton, and the same John [holdeth] of Roger Mowbray; and Roger, of the Earl; and the Earl of the King.

ELYNSTRYNGE.

There is one carucate of land there—of which the Abbot of Joreval holdeth one bovat of land of Walter le Latryn; and the same Walter holdeth the same bovat and three other bovates of John de Wauton; and the same

John holdeth the residue of Roger Mowbray; and the same Roger of the Earl; and the Earl of the King.

ELYNGTON.

There are six carucates of land there—of which three carucates are holden of John de Wauton: the Abbot of Joreval likewise holdeth of the same John, and renders by the year 10s.; and the same John of Roger Mowbray, and the same Roger of the Earl; and the Earl of the King.

MASHAM AND LITTLE BURTON.

There are twenty-seven carucates of land in the same Vills, and they answer for one Knight's Fee; also, there are six carucates of land there—of which the Master of the Knight's Templars in England, holdeth two bovates of land in pure alms, and the residue is holden by John de Wauton; and the same John [holdeth] of Roger Mowbray; and the same Roger of the Earl; and the Earl of the King.

FEGHERBY.

There are three carucates of land there which Elias de Fetherby holdeth; two carucates of John de Wauton (whereof 9 carucates make one knight's fee) and the same John of Avice Marmyon; and the same Avice of John Earl of Richmond; and the same Earl of the King: also the aforesaid Elias holdeth one carucate of land of Gilbert de Clifton; and the same Gilbert of the heirs of Thornton Steward; and the same heirs of the Earl: and the Earl of the King: and they render by the year 10s.; but whether it ought to be rendered towards the Fine of the Wapentake, or for the Sheriff's aid, there is no mention in the Inquisitions.

BURTON-UPON-YORE.

There are 4 carucates of land there, whereof 14, &c., which Richard of Great Burton holdeth of Mary de Neville, and the same Mary of the Earl, and the Earl of the King.

No. 12.

An Inquisition post mortem taken the 29th Edwd. I, A.D. 1300, n. 47, as to the manors, &c., held by Roger de Mowbraye, by which it was found that he was possessed of (among other manors),

MASHAM MANOR.

No. 13.

An Inquisition post mortem taken in the 32 Edwd. I, A.D. 1303, No. 33, as to the manors which were held by John de Wauton and Margaret his wife, by which it was found that they were possessed of the following:—

Waltham, Bernolby and Wade, 30s. of Rents and a Toft	..	Lincoln.
North Pikenham manor, extent	... ..	Norfolk.

Masham Manor—extent with its hamlets, Kirkeby-Malsart, suit of Court	}	YORK.
Ellingstringe, a member of the said manor of Masham—half a carucate of land		
Ellington, a member of the same manor of Masham—ten bovates, &c.		
South Leghton Hamlet a member of the said manor of Masham, twenty-four acres of meadow, wood, &c.		
Colsterdale, two parts of a mine of coal—Masham a moor		
Pott-Wood, Housebote, and Haybote appertaining to the manor of Masham there		

No. 14.

Extract from Roberts' Extracts from the Fine Rolls, v. 1, p. 256, m. 7.

[TRANSLATION.]

YORK.—The Lord the King hath committed to John Fitz Philip, for the fine of 200 marks which he hath made with him, the manor of Masham, with the appurtenances which is of the inheritance of John de Wauton, son and heir of John de Wauton; and for which the aforesaid John Fitz Philip had formerly rendered to the Lord the King, £40 by the year, to have and to hold to him, or to whomsoever he may will to assign the same manor, until the lawful age of the heirs of the aforesaid John. And the aforesaid John will render to the exchequer the 200 marks aforesaid, at the terms underwritten—that is to say, at the exchequer of St. Michael in the 18th year, &c., 50 marks, and at the exchequer of Easter in the 19th year, &c., 50 marks, and at the exchequer of St. Michael in the same year, 50 marks, and at the exchequer of Easter in the 20th year, &c., 50 marks, and he hath letters patent thereof. Witness, the King at Kennington, the 25th day of April.

No. 15.

Wards of the Castle of Richmond during the time of King Richard II, otherwise concerning the Fees aforesaid according to an Inquisition made in the time of King Richard II.

October { Of John Fitz Philip } Half a Mark. { The Lord de Mowbray
and { for one Fee in holdeth
November { Mashamshire. [the same.]

No. 16.

Obligation from Hugh de Hepeham, Lord of Masham, to Geffrey le Scrop, for paying to him 40s. yearly, for the term of his life, out of his manor of Masham, dated the 8th Ed. II., A.D. 1314.

[TRANSLATION.]

To all who shall see or hear this writing Hugh de Hepeham,* Lord of Masham, greeting in the Lord. Know ye that I am bounden and by these presents obliged to Geoffrey le Scrop, in 40s. sterling yearly, to be received for the whole life of the said Geoffrey out of my manor of Masham, to whose hands soever it shall come. A moiety, to wit, at the feast of Pentecost, and the other moiety at the feast of St. Martin in the winter, by equal portions; and I oblige me and my heirs and my manor aforesaid, faithfully to make the same payment at the said terms. In testimony whereof to the present writing I have affixed my seal. Given at London, on Thursday, next after the feast of the Purification of the Blessed Virgin Mary, in the 8th year of the reign of King Edward, son of King Edward.

No. 17.

In the time of Edw. II., the following were Lords of the several members of Mashamshire, viz:—Of Masham, Hugh de Hopham; of Burton-upon-Yore, Roger Cysell; of Swinton, Ralph de Normanville; of Ilketon, John Waxwand, and the Abbot of Fountains, and the Master of Magdalen Hospital; of Helagh-with-Sutton, Hugh de Hopham, and John de Henton; of Fegherby, Reginald de Ciyfton, and John Alward; of Ellington-with-Ellingstring, the Abbot of Jerveaux, and the heirs of Richard Cysell.

No. 18.

Deed from John de Wauton to Richard de Welles, relating to the manor of Masham, dated 2nd Edw. III., A.D. 1328.

[TRANSLATION.]

To all the faithful in Christ to whom the present writing shall come, Joan daughter and heiress of Sir John de Wauton, greeting in the Lord. Know ye that I, in pure widowhood and my lawful power, have granted that the 3rd part of the manor of Massham with its appurtenances which the lady Joan de St. Clare holdeth in dower of my inheritance for the term of her life; and also the 3rd part of two parts of the manor aforesaid, which the Lady Margaret de Wauton my lady and mother [holdeth] together with all other lands and tenements which the same Lady Margaret holdeth in dower, and in allowance of dower for the term of her life in the same manor of my inheritance (and which third part of the manor aforesaid, with its appurtenances after the death of the aforesaid Joan de St. Clare, and also the third part of two parts of the manor aforesaid, together with all other lands and tenements which the said Lady Margaret my mother, holdeth in the aforesaid manor, after the death of the aforesaid Lady Margaret ought to revert to me, the aforesaid Joan de Wauton and my heirs) shall entirely and without any

* Hugh de Hopham had become Lord of Masham by his marriage of Joan de Wauton, the daughter of Sir John de Wauton, as will be seen *ante* p. 220.

withholding remain to Richard de Welles, his heirs and assigns. To have and to hold to him and his heirs of the chief lords of the same fee, by the services therefore due and accustomed for ever. Moreover, I, the aforesaid Joan and my heirs will warrant, acquit, and defend the aforesaid the 3rd part of the manor aforesaid, when (after the death of the aforesaid Lady Joan) it shall fall in—and also the 3rd part of two parts of the manor aforesaid, when (after the death of the aforesaid Lady Margaret) they shall fall in to the aforesaid Richard, his heirs and assigns, against all men for ever. In testimony whereof, to this present writing I have affixed my seal. These being witnesses—Sir Walter de Huggeford, Knt., Sir Hugh de Mortimer, Knt., Hugh de Dodemonfrom, John de Upton, William de la Hull of Urnege, and many others. Given at ——— on Sunday, next after the feast of the Purification of the Blessed Mary, in the 2nd year of the reign of King Edward, after the Conquest the 3rd.

No. 19.

*Indenture between Richard de Well, and Sir Geffrey le Scrop, dated 2 Ewd.
III., A.D. 1328.*

[TRANSLATION.]

This Indenture between Richard de Well, and Sir Geffrey le Scrop, witnesseth that the said Richard, and Dame Joan daughter of Sir John de Wauton, shall come to Westminster upon the 8th of St. Michael next ensuing, and shall there secure over to the said Sir Geffrey by a fine or in some other manner the manor of Masham with all its appurtenances in demesne, seignory, and reversion in the manner following—that is to say, that the said Dame Joan may have and hold the said manor with all its appurtenances as is above, and to have and to hold for her life without being impeached for waste, and that the said Sir Geffrey and his heirs may fully have the said manor with all its appurtenances as is above, and to hold to them and their heirs for ever after the death of the said Dame Joan: and in consideration of this reversion in the manor aforesaid, the said Sir Geffrey shall give to the said Richard and Dame Joan twenty ——— of land in Hertfordshire or elsewhere, of the same value, in a place which they shall think convenient to hold to them and their heirs for ever: and that he shall secure to them by a fine or in some other manner, at the same time that the manor of Masham shall be secured to him as is above expressed; and if the land be not agreeable to them, the said Sir Geffrey shall give them 400 marcs in money, and shall also pay to the said Richard and Dame Joan, 200 marcs at the time above mentioned: and the said Sir Geffrey shall procure to the said Dame Joan the release and quit claim of Robert de Wauton, to the manor of what independent of him and his heirs for ever. And to the fulfilling and accomplishing these covenants legally and without fraud, the said Sir Geffrey and Richard have sworn upon the Holy Evangelists, and have to these Indentures interchangeably set their seals.

Dated at Clifton-upon-Yore, on the Tuesday next after the festival of the Decollation of St. John the Baptist, in the 2nd year of the reign of King Edward the 3rd, after the Conquest.

No. 20.

Indenture obliging Sir Jeffrey le Scrop to grant the manor of Masham to the late wife of Hugh de Hopham for her life, after he shall have received the same by grant from Richard de Well, dated 2 Ed. III., A.D. 1328.

[TRANSLATION.]

This Indenture tripartite betwixt Sir Geffrey le Scrop, Richard de Well, and Joan who was the wife Hugh de Hephham, witnesseth that whereas the said Sir Geffrey is obliged by recognisance entered into before the King to the said Richard in 2000 marcs to be paid at the feast of Easter next ensuing, the said Richard wills and grants for himself and for his heirs and executors, that if the said Sir Geffrey after the said Richard shall have released and given up for himself and for his heirs to the said Sir Geffrey and his heirs, all the right and claim which he hath or shall have in the two parts of the two parts of the manor of Masham, with its appurtenances, and shall have granted to the said Sir Geffrey and his heirs, the reversion of the third part of the manor aforesaid, which Dame Joan de Saint Cler holds in dower for the term of her life, and the reversion of the third part of the two parts of the said manor which Dame Margaret, who was the wife of Sir John de Wauton, holds in dower for the term of her life; and that the said Joan who was the wife of Hugh de Hopham, hath granted and released to the said Sir Geffrey and his heirs, all the right and claim which she hath or shall have in the manor aforesaid, in demesne and in reversions, with all its appurtenances, and this by fines levied in the Court of the King upon the eighth of St. Hillary next ensuing or before. That then the said Sir Geffrey by a fine upon the fifteenth of St. Hillary next ensuing, shall grant to the said Dame Joan late wife of Hugh de Hopham, the said manor of Masham in demesne and in reversion as is above expressed, to hold for the life of the said Joan as fully as the said Sir Geffrey receives it from the gift and grant of the said Richard; and the said Richard wills and grants for himself, his heirs and executors, that if the said Sir Geffrey perform the covenants in form and manner above mentioned, that then the said recognisance of 2000 marcs lose its force and be of none effect; and if the said Sir Geffrey after the fines passed to him in form above said, perform not the covenants above said in form and manner above, that then the said recognisance be in its full force and not otherwise. In testimony whereof to one part of this Indenture, being in the hands of the said Sir Geffrey, the said Joan, late wife of Hugh de Hopham and Richard, have set their seals, and to the two parts of the same Indenture being in the hands of the said Joan and Richard, the said Sir Geffrey hath set his seal. Dated at Westminster on the Friday next after the Feast of St. Dionysius, in the 2nd year of the Reign of King Edward the third, after the Conqueror.

No. 21.

Deed between Joan de Wauton and Sir Geoffrey le Scrope, dated 3rd Edw. III., A.D. 1329.

[TRANSLATION.]

This Indenture betwixt Dame Joan, daughter and heiress of Sir John de Wauton, late Lord of Masham, on the one part; and Sir Geffrai le Scrop, chevalier, on the other part. Witnesseth that whereas Richard de Welles hath given and granted to the said Sir Geffrai, the manor of Masham with all its appurtenances, together with the reversion of all the lands and tenements with their appurtenances, which Dame Joan de Saint Cler and Dame Margaret, who was the wife of the said Sir John, held in dower for the term of their lives severally within the said manor, to have and to hold to the said Sir Geffrai and his heirs for ever, since which gift and grant the aforesaid Dame Joan daughter and heiress of the said Sir John—granted, released, and for ever quitted claim to all her right of the said manor, as well in demesne, seignory, as in reversion, with all their appurtenances, to the said Sir Geffrai and to his heirs for ever, independent of the said Dame Joan daughter and heiress of the said Sir John, and of her heirs for ever. And during the seizine of the said Sir Geffrai of the said manor, the said Dame Joan de Saint Cler is dead, by which the tenements which the said Dame Joan held for the term of her life, are come into the possession of the said Sir Geffrai as his right and reversion belonging to him, the said Sir Geffrai hath given and granted, and by this Indenture confirmed, to the aforesaid Dame Joan daughter and heiress of the said Sir John, all the manor of Masham with all its appurtenances, franchises, and free-chaces * as fully in demesne, seignory, and in reversion after the death of the said Dame Margaret as the said Sir Geffrai received it by the gift and grant of the aforesaid Richard de Welles, or by the grant of the aforesaid Dame Joan daughter and heiress of the said Sir John, to have and to hold to the aforesaid Dame Joan daughter and heiress of the said Sir John for the term of her life, of the aforesaid Sir Geffrai and his heirs by the services of two Enmervillons—that is to say, one Fornie and one Trecelet to be paid annually by those who shall be heirs within the seignory of the said Dame Joan within Mashamschire: and doing for the said Sir Geffrai and his heirs to the chief lords of the fee the services due and accustomed; and if it so fall out that there be no Enmervillons within the said seignory that then the said Dame Joan be released from the rent of the Enmervillons for that year and for such years in which there shall be no heirs: and after the death of the said Dame Joan daughter and heiress of the said Sir John, the aforesaid manor of Masham with all its appurtenances, franchises, and free-chaces, fully in demesne, seignory, and reversion shall return to the said Sir Geffrai and his heirs to hold independant of the heirs of the aforesaid Dame Joan for ever. In testimony whereof as well the aforesaid Dame Joan daughter and heiress of the said Sir John, as the said Sir

* It will be observed that even in this early deed, dated in 1329, the Franchise and Free Chace is expressly mentioned and granted.

Geffrai have to these Indentures interchangeably set their seals. These being witnesses—Henry le Scrop, Thomas de Colville, Ranp. de Normanvill, John de Vaxand, and Chevaliers Simn. de Stotevill, Randolf Pygot, John de Burton, Roger de Schirwode, William de Pontfreiht (clerk), and others. Dated at Masham, on Thursday next before the Feast of Saint Gregory, in the 3rd year of the Reign of King Edward the 3rd, after the Conqueror.

No. 22.

Fine between Geoffrey le Scrop, Plaintiff, and Joan the widow of Hugh de Hopham, Deforciant, respecting the manor of Masham, dated 3 Edw. III., A.D. 1329.

[TRANSLATION.]

This is the final agreement made in the Court of the Lord the King at Westminster in one month from the day of Easter, in the 3rd year of the Reign of King Edward, from the Conquest the 3rd—before William de Herle, Henry le Scrop, John de Bousser, and John Travers, Justices, and other faithful men of the Lord the King then there present; between Geoffrey le Scrop, Plaintiff, and Joan who was the wife of Hugh de Hephham, Deforciant, of the manor of Masham with the appurtenances, whereupon a plea of covenant was summoned between them in the same Court—to wit, that the aforesaid Joan hath acknowledged the aforesaid manor with the appurtenances to be the right of the same Geoffrey; whereof the same Geoffrey hath two parts of the aforesaid manor with the appurtenances of the gift of the aforesaid Joan—to have and to hold to the same Geoffrey and his heirs of the chief lords of the same fee by the services which to the same two parts appertain for ever: and, moreover, the same Joan hath granted for herself and her heirs that the third part of the aforesaid manor with the appurtenances (which Margaret who was the wife of John de Wauton, holdeth in dower of the inheritance of the aforesaid Joan on the day when this agreement was made, and which after the decease of the same Margaret ought to revert to the aforesaid Joan and her heirs) shall after the decease of the same Margaret entirely remain to the aforesaid Geoffrey and his heirs, to be holden together with the aforesaid two parts as if remaining by this fine of the chief lords of the same fee, by the services which to the same third part appertain for ever: and the aforesaid Joan and her heirs will warrant to the aforesaid Geoffrey and his heirs the aforesaid manor with the appurtenances as is aforesaid against all men for ever: and for this acknowledgement, grant, warranty, fine, and concord, the same Geoffrey hath granted for himself and his heirs, that they will render every year to the aforesaid Joan for the whole life of the same Joan, one hundred marks of silver—to wit, a moiety at the feast of St. Michael, and the other moiety at Easter; and if it happen that the aforesaid Geoffrey or his heirs at either term make default in the payment of the aforesaid money, it shall be lawful to the aforesaid Joan during the whole life of the same Joan to distrain on the aforesaid two parts

with the appurtenances, and also on the manors of Clifton-upon-Yore, Burton-Constable, and Hunton, with the appurtenances, and the distresses in virtue thereof taken to retain until she be fully satisfied of the arrears; and after the decease of the same Joan the aforesaid Geoffrey and his heirs shall be quit of the payment of the aforesaid money by the year for ever.

No. 23.

Grant from Sir Geoffrey le Scrop to the Abbot and Convent of Jorevale, of a right of way through all Mashamshire to their Coal-mine in Colsterdale, dated 10 April, 7 Edw. III., A.D. 1333.

This Indenture witnesseth that Sir Geoffrey le Scrop, Lord of Mashamshire, hath granted to the Abbot and Convent of Joreval and their successors and all [their] men a free way through the whole of Mashamshire towards Colsterdale; so that no one henceforth coming towards Colsterdale unto the mine of the said Abbot and Convent to seek coals or other necessities, or thence returning, shall by the aforesaid Sir Geoffrey le Scrop, his heirs or assigns, or any one in their name, be assailed, hindered, or disturbed in common, in meadow, and corn; but all men may peaceably come to, and return from, the said mine of Colsterdale without any disturbance, for ever: and for this grant the aforesaid Abbot and Convent, grant to the aforesaid Sir Geoffrey le Scrop and his heirs every year out of the aforesaid mine of Colsterdale, twenty quarters of coals for estovers, for ever, while the aforesaid mine lasts; and saving to the aforesaid Abbot and Convent sufficient coals for their own necessities. In testimony whereof, the parties aforesaid to these presents have interchangeably affixed their seals. These being witnesses—Sir Thomas de Schofeld, Knt., Sir Ranulph de Normanville, Knt., Philip de Burton, Reginald de Clifton, Nicholas Warde of Akelthorpe, and many others. Given at Joreval, the 10th day of the month of April, in the 7th year of the Reign of King Edward, from the Conquest the 3rd.

No. 24.

Agreement between the Abbot and Convent of Jervaux, and Sir Geoffrey le Scrop, that the Abbot and Convent should get Coals in Colsterdale, dated 7 Edw. III., A.D. 1334.

[TRANSLATION.]

This written Indenture between the Abbot and Convent of Jervaux on the one part, and Sir Geoffrey le Scrop, Lord of Masham, on the other part; witnesseth, that whereas there hath been a dispute betwixt them concerning the mine of coals in Colsterdale, so it is agreed betwixt them that the said Sir Geoffrey wills and grants for himself and for his heirs that the said Abbot and Convent and their successors, may dig for coals within Colsterdale where-soever they like, as well without their enclosed ground as within, and make their profit of them at their pleasure, without the hindrance of the said Sir

Geffrei or his heirs, for ever. And for this grant the aforesaid Abbot and Convent grant and oblige themselves for themselves, and for their successors, to be bound in eight marks sterling of yearly rent, to be paid to the said Sir Geffrei, and to his heirs, at two terms in the year, in their manor of Wytton—that is to say, one moiety at the Festival of St. Martin, and the other moiety at the Feast of Pentecost, by equal portions—beginning for the first term at the Festival of St. Martin next ensuing. And the aforesaid Abbot and Convent will and grant for themselves and for their successors, that if the aforesaid rent, at the terms aforesaid, be in arrear, in whole or in part, that then it be lawful for the said Sir Geffrei, and for his heirs, to distrain within the said manor of Wytton and its appurtenances, by themselves or their Bailiffs, and to detain what they so take in distress until satisfaction be made them for the arrears and damages. And the said Sir Geffrei wills and grants for himself and for his heirs, that if it happen that the mine of coals in Colsterdale be by working so destroyed and reduced that no more coals be left therein, that then the said Abbot and Convent, and their successors, may be released from the payment of the aforesaid Rent for ever. Notwithstanding that the payment of the aforesaid rent be made to the said Geoffrie and to his heirs for ever, as is above said, as long as any coals can be found therein; albeit that the aforesaid Abbot and Convent and their successors, get not the coals, so that through the negligence of the said Abbot and Convent or their successors, or through default of their working, the payment of the said Rent may not cease. In testimony whereof, to one part of this Indenture remaining with the said Sir Geffrei, the aforesaid Abbot and Convent have set their common Seal, and to the other part of this Indenture remaining with the aforesaid Abbot and Convent, the said Sir Geffrie hath set his seal. These being witnesses—Sirs John de Mowbray, Henry le Scrop, Thos. de Shefeld, Thos. de Colvill, Chevrs. William de Scurueton (Bailiff of Richmond), John de Burton, Raynald de Clifton, Nicholas Ward of Aszelthorp, William de Powntfreight (Clerk), and others. Dated at Jervaux on Monday, being the day after Easter day, in the 7th year of the reign of King Edward ye 3rd, after the Conquest.

No. 25.

Grant from John de Mowbray to Sir Jeoffrey le Scrope, of the Forest and Chace of Massaham, dated 11th Edward III., A.D. 1337.

[A TRANSLATION FROM THE LATIN].

To all that shall see or hear this writing, John de Mowbray, Lord of the Isle of Aixholm [Axiholme] and of the Honour of Brember and Gower, greeting in the Lord. Whereas Sir Roger de Mowbray, our ancestor, by his writing did grant and confirm to Sir John de Wauton formerly Lord of Masham, his Forest* of Massham by these Bounds—to wit, from Ior to

* Here we have again special mention of the *Forest* of Masham, and also of the *Chace*. See *ante* p. 476, as to the boundaries of Masham.

Sinderhow as Nutewid [Nutwith] remains in common between the villages; and from Sinderhow to a hill which is near to the south of Roger-cross, as the water runs from thence towards Masham, and so to a hill above Pillesden; and from thence by the top of the hill of Fristildishou [Throstle-how]; and from Fristildishou by the top of the hill to the bounds of Robert the son of Ralph [Coverdale]; and from thence to the bounds of Witton—to hold to the said John and his heirs, of the aforesaid Roger and his heirs, to wit, in forest, in wood and in plain, in chaces, with all its Liberties and appurtenances. And did also grant that if the same John or his heirs, or their dogs, run beyond the said bounds into the Forest of the said Roger that the same John and his heirs should have the chasing thorough of the beast which they were in pursuit of. And that if the said John or his heirs should have a mind to range in the forest of the said Roger, it should be lawful for them so to do, with two or three bows. And also, Roger de Mowbray and Nigell his son, our ancestors, by a Fine levied in the Court of the Lord the King at Doncaster, on the morrow of the Assumption of the blessed Mary, in the 22nd [qy. 2nd] year of the reign of King Henry, before Ranulph de Glanvill and his companions, then Justices of the same Lord the King, did by the same Fine grant that the forest aforesaid, by the before-mentioned bounds, should remain to John de Wauton and his heirs. And that the same John and his heirs should have liberty of chasing and ranging in the forest of the said Roger in form aforesaid. And because that Joan de Wauton, heir of the said John de Wauton, did give and grant to our beloved Sir Galfrid le Scroop the Manor of Masham, with all its appurtenances, forests, chaces, liberties, Knights' fees, and all other things whatsoever belonging to the said manor, to have and to hold to the said Sir Galfrid, his heirs and assigns for ever, of the chief Lords of the Fee, by the services therefore due and accustomed. Now we, for the special affection which we bear towards the said Sir Galfrid, do will and grant that the said Sir Galfrid, his heirs and assigns, may have and hold the said forest and chace by the metes and bounds contained in the writing of Sir Roger de Mowbray, our ancestor, and in the before-named Fine together with the aforesaid liberty of chasing and ranging in the forest of the said Roger, granted by our ancestors in form aforesaid, to the said John de Wauton by the aforesaid writing and Fine—so that neither we nor our heirs, nor any in our name, or in the name of our heirs, may at any time hereafter have claim, or require any right or claim, in the aforesaid forest or chace, nor in any part thereof, or any liberty of chase in the same. Furthermore we do will and grant for us and our heirs, that the said Sir Galfrid and his heirs may have and hold the Manor of Masham, with all its appurtenances, forests, chaces, liberties, Knights' fees, and all other profits whatsoever to the said manor belonging, of us and our heirs, by the service of a bearded Arrow, to be paid to us at the Feast of the Nativity of our Lord, for all services, exactions, and demands, for ever, so that neither we nor our heirs, or any one in our name, may at any time hereafter claim or require any right or claim in the aforesaid manor, with its appurtenances, or in any services whatsoever issuing out of the said

manor, except the aforesaid bearded arrow. And all other services whatsoever due to us and our heirs out of the aforesaid manor, we do by these Presents remit and release to the said Sir Galfrid, his heirs and assigns for ever. In testimony whereof we have to this writing set our seal, these being witnesses: S'rs Thomas de Lacon, Michael de Hewik, Thomas de Sheffield, John de Wacksand, Ralph de Normanvill, Kn'ts; Will'm de Clyve (Clerk), Nicholas Ward of Akelthorp, Will'm de Dalton, Thomas de Tolyngton, and others. Dated at Kirkeby-Malesard on Sunday on the feast day of St. Lawrence, in the 11th year of the reign of King Edward the third after the Conquest.

No. 26.

An Inquisition post-mortem taken the 14th Edw. III., A.D. 1340 (No. 35) as to the Manors which were held by Geoffrey le Scrop, by which it was found that he was possessed of the following, amongst other Manors, &c., viz.:—

Masham Manor—Fegerby, Helagh, Sutton, Ellington, Ellingstringe, and Finghale,

27.

Grant from Sir Henry le Scrop to Sir John de Heslerton, and Sir Thomas de Swyngthwaite of his manors of Masham, &c., dated 17 Edw. III., A.D. 1343.

Know [all men] present and to come that I, Sir Henry le Scrop, Knight, have given and granted, and by this my present deed confirmed to Sir John de Hoselerten, Parson of the Church of Patrick Brompton, and Sir Thomas de Smyngthwait, Parson of the Church of Watlows, my manors of Masham, Clifton-upon-Yore, Thern, and Burton Constable, with their appurtenances and all the reversions belonging to me in the same manors, to have and to hold all the manors aforesaid, with the appurtenances and reversions aforesaid to the aforesaid Sir John and Sir Thomas, their heirs and assigns of the chief lords of the same fee by the services therefore due and accustomed for ever; and I, the aforesaid Henry and my heirs, will warrant all the manors aforesaid with the appurtenances and reversions aforesaid, to the aforesaid Sir John and Sir Thomas, their heirs and assigns, against all men for ever. Also I have granted to the same Sir John and Sir Thomas, all my cattle, goods, and chattels, found and being in all the manors aforesaid. In testimony whereof, to this present deed I have affixed my seal.—These being witnesses—Sir William le Scrop, Knight, Sir Ranulph Pigott, Knight, Sir William de Smyngthwait, Knight, and Sir John Tempeste the Son, Knight, William de Skurneton, Geoffrey Pigott, Nicholas Ward, and others. Given at my manor of Coverham, on Thursday, next before the feast of St. Margaret the Virgin, in the 17th year of the Reign of King Edward, from the Conquest the 3rd.

No. 28.

Deed of Settlement by John de Heslerton and Thomas de Swyningthwaite, settling the manors of Masham, &c., upon Sir Henry le Scrop for life, with remainder to his sons Geoffrey and Henry, dated 17 Edw. III., A.D. 1343.

[TRANSLATION.]

Know [all men] present and to come that we, John de Heslerton, Parson of the Church at Patrick Brompton, and Thomas de Sinyngthwait, Parson of the Church of Watlows [Thornton Watlass] have given, granted, and by this our present deed confirmed to the Lord Sir Henry le Scrop, Knt., our manors at Masham, Clifton-upon-Yore, Thirn, and Burton Constable, with all their apurtenances and reversions to us belonging in the same manors, to have and to hold all the manors aforesaid, with all their appurtenances and reversions aforesaid, to the aforesaid Lord Henry for his whole life of the chief lords of the same fee by the services therefore due and accustomed, with this addition moreover, that it shall be lawful to the aforesaid Lord Henry to make waste thereof, and that he be not hindered touching the waste thereof made, so that after the death of the aforesaid Lord Henry, all the manors aforesaid, with all their appurtenances and reversions aforesaid, shall remain to Geoffrey, son of the aforesaid Lord Henry and his heirs of his body issuing, to be holden of the chief lords of the same fee by the services therefore due and accustomed for ever; and if it happen that the said Geoffrey die without heir of his body issuing (which God forbid) then after the death of the aforesaid Geoffrey, all the manors aforesaid with all their appurtenances and reversions aforesaid, shall entirely remain to Henry, brother of the same Geoffrey and the heirs of his body issuing, to be holden of the chief lords of the same fee by the services therefore due and accustomed; and if it happen that the aforesaid Henry die without heir of his body issuing (which God forbid), then after the death of the aforesaid Henry all the manors aforesaid, with all their appurtenances and reversions aforesaid, shall remain to the right heirs of the aforesaid Lord Henry le Scrop, to be holden of the chief lords of the same fee by the services therefore due and accustomed for ever; also we have granted to the same Lord Henry all the cattle, goods, and chattels, found and being in the same manors. In testimony whereof, to this present deed we have affixed our seals.—These being witnesses—Sir Ranulph Fitz Ralph, Knight, Sir John de Lascels of Lange-thorn, Knight, and Sir John Waxand, Knt., Roger Tysell, Roger Steward, Robert de Middleham, John Bucktrout, and others. Given at Patrick Brompton, on Saturday the eve of St. Lawrence the Martyr, in the 17th year of the reign of King Edward, after the Conquest the 3rd.

No. 29.

Release from Sir Thomas de Coleville to Lord Henry Scrop, of all his right in the manor of Masham, dated 18 Edw. III., A.D. 1344.

To all who shall see or hear this writing Sir Thomas de Colville, Knt., greet-

ing in the Lord. Know yethat I have remised, released, and altogether for me and my heirs for ever quit-claimed to Lord Henry le Scrop, Knt., his heirs and assigns, all the right and claim which I have had, have, or hereafter may have in the manor of Masham with its appurtenances, and also in all the lands and tenements which the same Lord Henry had on the day of the making of these presents, in demesne, lordship-service or reversion, within Masham or Mashamshire, with all and singular its appurtenances; so that neither I, the said Thomas, nor my heirs, nor any in our name, shall be able hereafter to demand, or challenge a right or claim in the manor lands or tenements aforesaid, nor in any part of the same, nor in any their appurtenances for ever; and I, the aforesaid Thomas, and my heirs, the manor of Masham aforesaid, and all the lands and tenements aforesaid, with all and singular their appurtenances, will warrant and defend to the aforesaid Lord Henry, his heirs and assigns, against all men for ever. In testimony whereof, I have affixed my seal to this writing, these being witnesses—Sir Alexander de Nevill, Knt., Sir Thomas de Rokeby, Knt., and Sir John Tempest, the Son, Knt; Sir John de Heselarton (Parson of the Church at Patrick Brumpton) Nicholas Ward of Akelthorpe, Thomas de Gathenby, Adam de Cubbeuych, Thomas de Scotland, John de Fleteham, and others. Given at Clifton-upon-Yore the seventh day of April, in the 18th year of the reign of King Edward, after the Conquest the third.

No. 30.

Extract from the Inquisition taken at Bedale, before the Collectors of the aid granted to the King to make his eldest son a Knight, in the 22 Edw. III., A.D. 1348.

[TRANSLATION.]

Also they say that Henry le Scrop holds in Massam, with the appurtenances, half a Fee which John de Wauton formerly held, and that the Abbott of Jervaulx holds, in Elynstring, three carucates of land in perpetual alms of the Fee of Masham, and that the Abbott of Fountains holds in Aldeburgh, three carucates of land in perpetual alms of the aforesaid Fee.

No. 31.

Extract from the Inquisition post mortem, taken at Bedale, in the 16th Ric. II., A.D. 1392, on the death of Henry le Scrop, chevalier.

[TRANSLATION.]

MASSHAM.—Also they say that the aforesaid Henry held in his demesne as of Fee, on the day on which he died in the aforesaid County, the Manor of Massham with all appurtenances, of Thomas de Mowbray, Earl Marshall, by the service of one barbed arrow by the year for all services; and there is in the same manor, one capital messuage which is worth nothing by the year beyond reprises; and there are in demesne there, 166 acres of land,

every acre whereof is worth by the year 8*d.*—sum 110*s.* 8*d.* And there are in demesne there, 30 acres of meadow, every acre whereof is worth by the year 2*s.*—sum 60*s.* Also there are of rents of Free tenants there—that is to say, in Massham, Feghyrby, Heilagh, Sutton, Ellyngton, Ellyngstring, £4 6*s.* 1*d.*, payable at the Terms of St. Michael, Saint Martin, Easter, and Pentecost: also there is the rent of one pound of Pepper there price 14*d.*; payable every year within the Advent of the Lord: also there are of the rents of bondmen and tenants at will there, with the Agistment of the Manor there in Massham, Feghyrby, Heilagh, Sutton, Ellyngton, Ellynstryng, and Leghtowne, £51 8*s.* 1*d.*, payable at the Terms of Easter, Saint Michael, and Saint Martin—thereof at the term of Saint Martin £9. Also there are of rents of divers tenants there for works, at the Term of Saint Peter ad vincula, 77*s.* 3½*d.* Also there are two water corn mills there, which are worth by the year beyond reprises £10; payable at the Feasts of St. Michael and Easter: also there is a certain coal mine there, which is worth by the year beyond reprises 40*s.*; payable at the Feasts of Saint Michael and Easter: also the perquisites of Courts are worth by the year 33*s.* 4*d.*

CLIFTON.—Also they say that the aforesaid Henry held in his demesne as of Fee, on the day on which he died in the aforesaid County, the Manor of Clifton with the appurtenances of Ralph Neville, chevalier, by Knight's service; and they say that in the said manor there is a certain capital messuage which is worth nothing by the year beyond reprises: also they say that there are 180 acres of land there in demesne, every acre whereof is worth 4*d.*—sum 60*s.*; also they say that there are 30 acres of meadow there in Inclosures and without, every acre whereof is worth by the year 2*s.*—sum 60*s.*; also the Agistment of the Moor there, is worth by the year 13*s.* 4*d.*; and there is one rent of Assize there, issuing out of a water mill upon the Jarrow [Yore] of 43*s.* 4*d.*, by the year, at the Terms of Saint Martin and Pentecost, and which mill is waste and hath been waste 40 years now past, and therefore of the aforesaid rent nothing is received.

BURTON-UPON-JORE.—Also they say that the aforesaid Henry held in his demesne as of Fee, on the day on which he died in Burton-upon-Jore [Yore] in the County aforesaid, one messuage and certain land which are worth by the year 6*s.*, and are so demised to tenants at will, payable at the Terms of St. Martin and Pentecost, and they are holden of Richard le Scrop, chevalier—by what service they are ignorant.

No. 32.

An Inquisition post mortem, taken the 7th Henry IV., A.D. 1405.—No. 52, as to the Manors, &c., which were held by Stephen le Scrope, of Masham, by which it was found that he was possessed at the time of his death of the following (amongst other manors).

VIZ:—

Masham Manor, with its members, in Fetherby, Helaugh, Sutton,	} YORK.
Elington, and Ellingstring	
Leightons and Nosterfield	
Cilfton Manor	

No. 33.

Extract from an Instrument reciting a grant from Henry V., to Henry Fitz Hugh, dated 10 June, 5th Hen. V., A.D. 1417, of the manors of Masham, &c., that belonged to Henry le Scrop (who forfeited them for high treason), at the time of his forfeiture to hold to the said Henry Fitz-Hugh and the heirs male of his body begotten.

[TRANSLATION.]

Whereas our Lord Henry, late King of England, our father, on the 10th day of June in the 5th year of his reign, of his special grace and of his mere and proper motion by his letters patent, did give and grant, and confirm to his beloved and faithful Sir Henry Fitz Hugh, Knt., now deceased, the manors of Masham, Clyfton, &c., with all their members and appurtenances whatsoever, together with all the lands, tenements and rents, which were of Henry le Scrop of Masham, within the Liberty of Richmond, or in Richmondshire, together with Knight's Fees, Advowsons of Churches, Priories, Abbeys, Chapels, Chantries, and other Ecclesiastical benefices whatsoever; Courts Leet, Infangthef views of Frankpledge, wards, marriages, escheats, reliefs, parks, chaces, warrens, liberties, franchises, fairs, markets, and other commodities whatsoever to the said manors, lands, and tenements, in anywise howsoever appertaining or belonging, or not appertaining to the manors, lands, and tenements aforesaid, which were of the aforesaid Henry le Scrop, who forfeited [the same] to our same father, or of any feoffees or feoffee to his use within the Liberty of Richmond or in Richmondshire within the County of York, as entirely and with the same franchises and liberties as the aforesaid Henry le Scrop, or any of his ancestors had or held the same at any time before the forfeiture aforesaid, together with all the reversions of the lands, tenements, fees, or advowsons to the aforesaid Henry le Scrope appertaining, which on the day of his forfeiture aforesaid, did, or by reason of the forfeiture aforesaid might have come to our same father, within the aforesaid Liberty or in Richmondshire aforesaid; and which manors, lands, tenements, rents, services, fees, and advowsons, Courts Leet, Infangthef views of Frankpledge, wards, marriages, escheats, reliefs, parks, chases, warrens, liberties, franchises, fairs, markets, and reversions, with all their commodities, with the appurtenances, then were of the value of £260 by the year, as to our same father———did appear to have and to hold as freely and entirely with the same liberties and franchises as the aforesaid Henry le Scrop or any of his ancestors at any time had or held the same to the aforesaid Henry Fitz Hugh and his heirs male of his body begotten, unto the value of £260 aforesaid by the year, of our same father and his heirs by service rendering to our same father and his heirs by the year, one rose for all services, without rendering any other thing to him or his heirs aforesaid, for the same as in the letters aforesaid is more fully contained; and afterwards by an Inquisition before Sir Richard Nevill, Knt., &c,

No. 34.

Exemplification of proceedings taken by John Lord Scrop of Masham, for the Restoration to him of the Estates forfeited by the Attainder of Henry Lord Scrop of Masham.

[TRANSLATION.]

Elizabeth, by the grace of God, of England, France, and Ireland, Queen, defender of the faith, &c., to all to whom these presents shall come greeting. We have inspected a record of a certain petition preferr'd before Lord Henry the 6th, late King of England, our ancestor, by one John Lescrop, Knight in the Parliament of the said King, held at Westminster the last day of April, in the 3rd year of his reign, and remaining upon record in the Rolls of our Chancery within our Tower of London, in these words following:—Item—Another petition was exhibited in the same Parliament by the said Commons, in favour of John Lescrop, Knight, brother and heir to Henry, late Lord Lescrop of Masham, the tenour whereof here follows. To the most sage Commons in this present Parliament assembled, beseecheth most humbly John Lescrop, Knight, brother and heir to Henry, late Lord Lescrop of Masham: that whereas Henry, late King of England, father to our sovereign lord the King that now is, being moved by his conscience with regard to the possession of the seignories, manors, lands, tenements, fees, and advowsons, possessions, and hereditaments that were seized into his hands by reason of the forfeiture of Henry, late Lord Lescrop of Masham, upon information given him that the same were entailed, will'd and granted by word of month, that all the signories, manors, lands, tenements, fees, and advowsons, possessions, and hereditaments seiz'd into his hands for the reason aforesaid, then being in his hands, or granted before or by his letters patent to any other which the said John Lescrop, brother and heir in-tail to the said Henry Lord Lescrop of Masham, could prove himself intitled to the inheritance of in-tail by sufficient evidences before the Archbishop of Canterbury, the Duke of Exeter, the Bishop of Durham, and William Kinvolvershe, * then treasurer of England, should be restored to the said John according to the effect of the entails thereof, without further delay or process of the law, which will and grant of the said late King was prevented being brought to a conclusion as well by reason of the malady of the said Duke, as also the death of the said William Kinvolvershe, on which account the said John by the advice of his Council hath by diverse petitions applied to our said sovereign lord the King and to his Council, in order to obtain Justice in the pursuit of the said inheritance, upon which petitions several Commissioners were appointed by Commission of our said Lord the King to make Inquisitions in the several Counties wherein the seignories, manors, lands, tenements, fees and advowsons, possessions and hereditaments of the said inheritance lye, were entail'd upon the said John; and notwithstanding by Inquisitions taken by sufficient Knights and Esquires in different Counties and returned into Chancery,

* He was Prebendary of the Church of Masham, see *ante* p. 328.

the greatest part of the seignories, manors, lands, tenements, fees and advowsons, possessions and hereditaments of the said inheritance are found to be sufficiently entail'd and lineally descended to the said John, as by the said Inquisitions more fully appear; yet the said John by the great and voluntary delaies made by different persons cannot have recovery nor livery of his said inheritance according to the will and grant of the said late King Henry, nor according to right and conscience, to the very great prejudice of the said John and the utter destruction of his said inheritance, unless he be remedied by the authority of this present Parliament. May it please you in your great wisdom, considering the will and grant of the said late King and the other premises of application made to our sovereign lord the King who now is, and to all the lords spiritual and temporal in that present Parliament assembled; in discharge and absolution of the soul of the said late King to enact by the authority of this present Parliament that of all those seignories, manors, lands, tenements, fees and advowsons, possessions and hereditaments, which are found to be entailed upon the said John by the said Inquisitions taken by vertue of the said Commissions and returned into Chancery as above said, the said John shewing his evidences and good and sufficient entails, agreeable to the said Inquisitions, before this present Parliament, or in the Court of Chancery before the Chancellor of England for the time being, the said John may have full and entire livery and entry into the same, by the authority of this present Parliament without further delay or process of the law or of any other pursuit thereof, any gift or grant of the said seignories, manors, lands, tenements, advowsons, possessions and hereditaments, or any parcel thereof made to any other by the said late King or our sovereign lord who now is to the contrary notwithstanding, considering in your very great wisdom as well the will and grant of the said late King, as the long time in which the said John has been dispossessed of the said inheritance, namely, for 6 years and upwards; during which time the said suppliant was employed in the wars by the command of the said late King to the so great expenses and costs of the said suppliant, that he is no longer in a capacity to recover his inheritance by any other means than as is above said. Which supplication being read and understood by the lords spiritual and temporal in the said Parliament assembled, by the advice and assent of the said lords, and at the special request of the said Commons, it was answer'd in the manner following:—The King with the assent of the lords in this Parliament, and at the request of the Commons, hath granted all the contents within the said petition; provided, nevertheless, that if it be found now or hereafter, before any escheatour or other person who hath or shall have power to make such enquiry, that the said Henry, late Lord Lescrop was seiz'd of any parcel of the said signories, manors, lands, tenements, fees and advowsons, possessions and hereditaments, not being granted to any by the letters patent of the late King or our sovereign lord that now is, in fee-simple or in his demesne as of fee-simple, the day he forfeited or at any time after, that the King or his successors may enter into such seignories, manors, lands, tenements, fees and advowsons, possessions and hereditaments, or any parcel thereof as are so found to be in fee-simple; and that the issues and profits of

such seignories, manors, lands, tenements, fees and advowsons, possessions and hereditaments, or parcel thereof so found to be in fee-simple, received from the day of entry or livery made by or to the said suppliant by the authority aforesaid, until the day of such enquiry by which they are found to be in fee-simple as above, be restored to the King or to his successors; and if any person having estate by the letters patent of our sovereign lord the King or his noble father, in the said seignories, manors, lands, tenements, fees and advowsons, possessions and hereditaments, or any parcel thereof, commences suit hereafter against the said suppliant his heirs or assigns, by writ of *Scire facias* or otherwise alledging in the said suit that the said Henry the day of his forfeiture or after was seiz'd, in fee-simple or in his demesne as of fee-simple of the said seignories, manors, lands, tenements, fees and advowsons, possessions and hereditaments, or any parcel thereof, and this can prove by any action tried by record, or by any other just and reasonable way; or if the suppliant, his heirs or assigns, be in lawful manner called upon by the Sheriff or other person deputed in the said writ of *Scire facias* or other pursuit; and appear not upon the day appointed in the said writ of *Scire facias* or other pursuit; or if they do appear and can alledge nothing material in barring the actions and demands of the persons so suing, that then the said persons so suing and their heirs be restored to such seignories, manors, lands, tenements, fees and advowsons, possessions and hereditaments, or any part thereof being in such manner lawfully tried as above, and found to be in fee-simple; together with the issues and profits of all such seignories, manors, lands, tenements, fees and advowsons, possessions and hereditaments, or any parcel thereof being in such manner lawfully tried as above, and found to be in fee-simple, according to the quantity thereof from the day of entry or livery made by or to the said suppliant as above, until the day of such recovery, saving to the King, his heirs and successors, the right of reversion which they had therein: and saving nevertheless to the said suppliant, his heirs and assigns, after the said restitution or entry of the King, their right and action at Common Law if they have any therein, &c. Memorandum that the said clause of Purven was made by the advice of two lords spiritual and temporal, and of the King's Sarjeants-at-Law. We have consented that the tenor of the Roll of the aforesaid Petition shall be exemplified by these presents at the request of our faithful and well-beloved Sir Christopher Danby, Knight. In testimony whereof we have caused these our letters to be made patent. Witness ourself at Westminster the 8th day of June in the 9th year of our reign.

No. 35.

An Inquisition taken at York Castle, the 3rd Aug., 2 Hen. VI., A.D. 1423.

MASHAM.—An Inquisition taken in the Castle of York, the 3rd day of August in the 2nd year of the reign of King Henry, the 6th after the Conquest of England; before Sir Richard Neville, Knt., Robert Tirwhit, John Preston, and also Robert de Hilton, Sheriff of York; Commissioners of the said

Lord the King assigned, together with Henry Percy, Earl of Northumberland; Ralph, Earl of Westmoreland; and John Baron de Greystock, by virtue of a certain Commission of the said Lord the King to the same directed, to enquire by the oath of good and lawful men of the County of York, if John Alburgh by his deed the date whereof is at York, the 22nd day of the month of September in the 13th year of the reign of the Lord Edward late King of England, after the Conquest the 3rd, progenitor of the aforesaid Lord the now King deceased, gave to Sir Geoffrey le Scrop, Knt., and the heirs of his body begotten by the name of Sir Geoffrey le Scrop, Knt., the manor of Masham with the appurtenances in the County aforesaid, by the name of all his manor of Masham, with all its appurtenances in the vill and in the district of Masham and Mashamshire, as in messuages, gardens, vivaries, walls, hedges, ditches, lands, meadows, feedings, pastures, woods, waters, pools, mills, rents, services of freemen, villeins [with] their chattels and sequels, fairs, markets, chaces, warrens, and all other liberties and appurtenances whatsoever, and in whatsoever place without any withholding; and which manor he lately had of the gift and feoffment of the aforesaid Geoffrey; and if by virtue of the said gift made to the same Geoffrey, he was seized of the manor aforesaid with the appurtenances in his demesne as of fee and right by the form of the gift aforesaid, in time of peace, in the time of the said late King Edward, and took the esplees thereof as in leasing of the messuages, corn-herbage, mowing of meadows, cutting of wood and underwood, rents, arrears of rents and other kinds of the issues of the manor amounting unto £20 and more, as of fee and right by the form of the gift aforesaid; and if from the aforesaid Geoffrey the right of the manor aforesaid with the appurtenances, did and ought to descend to Henry, as son and heir of the aforesaid Geoffrey by the form of the gift aforesaid; and if from the same Henry the right of the manor aforesaid with the appurtenances did and ought to descend to Stephen as son and heir of the same Henry, by the form of the gift aforesaid; and if from the aforesaid Stephen the right of the manor aforesaid with the appurtenances, did and ought to descend to Henry as son and heir of the same Stephen, by form of the gift aforesaid; and if from the same Henry son of Stephen, because he died without heirs of his body the right of the manor aforesaid with the appurtenances, did and ought to descend to Geoffrey as brother and heir of the same Henry, son of Stephen, by the form of the gift aforesaid; and if from the same Geoffrey brother of Henry, because the same Geoffrey died without heir of his body, the right of the manor aforesaid with the appurtenances did and ought to descend to Stephen as brother and heir of the aforesaid Geoffrey, brother of Henry, by the form of the gift aforesaid; and if from the same Stephen brother of Geoffrey, because the same Stephen died without heir of his body, the right of the manor aforesaid with the appurtenances, did and ought to descend to John le Scrop, as brother and heir of the same Stephen, brother of Geoffrey, by the form of the gift aforesaid; and if after the death of the aforesaid Geoffrey, the father of Henry, and Henry son and heir of the same Geoffrey, and Stephen son and heir of the same Henry son of Geoffrey, and

Henry son and heir of the same Stephen, son of Henry and Geoffrey, brother of the same Henry son of Stephen, and Stephen brother of the same Geoffrey brother of Henry; it ought to descend to the aforesaid John le Scrop as brother of the aforesaid Stephen, brother of Geoffrey and also brother and heir of the aforesaid Henry son of Stephen, by the form of the gift aforesaid, because each of the aforesaid Henry, Geoffrey, and Stephen, brothers of the same John le Scrop died without heirs of his body; and if the Lord Henry, late King of England, father of the Lord the now King deceased, seiz'd the manor aforesaid with the appurtenances into his hands by pretext of a certain judgment of forfeiture for high treason rendered at Southampton, against the aforesaid Henry son of Stephen, by the name of the Lord Henry le Scrop of Masham [and] of Faxflete in the County of York, Knt., on Monday the 5th day of August, in the 3rd year of the reign of our said Lord Henry, father of the Lord the now King deceased, before Thomas late Duke of Clarence, and other Lords, Peers of the aforesaid Henry, son of Stephen, by the same late Duke convoked with him by virtue of a certain Commission of the same Lord Henry, father of the lord the now King deceased, thereupon directed to the aforesaid late Duke; and if the same judgment was afterwards affirmed in the Parliament of the aforesaid lord the King deceased, father of the lord the now King, holden at Westminster in the same 3rd year; and if afterwards the same Henry father of the lord the now King deceased, did by his letters patent grant the said manor of Masham with the appurtenances among other manors, lands, and tenements, to Sir Henry Fitz Hugh, Knt., and his heirs male of his body begotten. By the oath of Sir Richard Hastings, Knt., Sir John Clerveaux, Knt., Sir William Ryther, Knt., Sir John Puddesay, Knt., Sir John Everingham, Knt., Ralph Fitz Randolph, John de Newsam, William Scargill, John Merkynefeld, John Dysney, Robert Haytfield, and William Beckwith, who say upon their oath that the said John Alburgh by his deed bearing date, &c., did give to Geoffrey le Scrop, &c., the manour of Masham, &c., and that the same descended as above and was seized into the King's hands for high treason as above, and afterwards the K. granted the said manor of Masham to Henry Fitz Hugh, and so the said Jury upon their oath say that the manour aforesaid with its appurtenances, was given as in the deed of the said John shewn to the said Jury is contained, and that the said John le Scrop has right and title to the same manour as he supposed by his petition specified in the letters patents of the said lord the now King, to this Inquisition annexed.

No. 36.

Extract from an Inquisition taken at Richmond in 6th Hy. VI., A.D. 1427, to grant the King a Subsidy.

[TRANSLATION.]

Also they say that John le Scrope, chevalier, Sir William Normanville,

Knt., Robert Waddesley, William Bagtrout, and others, hold severally and amongst them in Masham half a Knight's Fee, of that fee which John de Wauton formerly held, so that neither of them holds a fourth part of one Knight's Fee, therefore——nothing: also they say that the Abbot of Jervaulx hold in Elynstryng in perpetual Frankalmoigne, three carucates of land whereof John de Wauton holds in Masham, and the aforesaid three carucates of land are the temporalities of the same Abbot in the same town, for which he pays tenths when tenths are imposed——nothing: also they say that the Abbot of Fountains holds in Allburgh, three carucates of land whereof twelve make a fee, of that aforesaid fee which John de Wauton formerly held in Masham, and they are the temporalities of the same Abbot in the same town, for which he pays tenths when tenths are imposed; therefore——nothing.

No. 37.

An Inquisition post mortem taken the 14th Hen. VI., A.D. 1435, No. 36 on the death of John Duke of Bedford, whereby it was found that the said Duke held at the time of his death (amongst other things) in
 MASHAM.—One Fee by John Lord Scrope.

No. 38.

Extract from Inquisition post mortem, taken at Northallerton on the 25th April, 16 Hy. VI., A.D. 1437, on the Attainder of Henry Lord le Scrop of Masham.

[TRANSLATION.]

That Henry Lord le Scrop of Masham, and of Faxflete, in the County of York, chevalier, deceased; who committed high treason against the Lord Henry after the Conquest of England the 5th, late King of England, father of the lord the now King, on the 20th day of July in the 3rd year of the reign of the same late King; and thereupon the 5th day of August in the same third year before Thomas late Duke of Clarence and other Lords, the Peers of the same Henry Lescrop, called to him by the same late Duke, by virtue of a certain commission of the aforesaid late King directed to the same late Duke convicted and adjudged to death, was seized in his demesne as of fee-simple on the 5th day of August, and on the day and at the time of his forfeiture aforesaid, of the Manor of Masham with the appurtenances in the County of York, and of 102 messuages, 24 cottages, 12 tofts, 500 acres of land, 133 acres of meadow, 1000 acres of pasture, 140 acres of wood, and £33 of rents, with the appurtenances in Masham, Helagh, Ellyngton, Ellyngstring, Sutton, Feerby, Burton-Constable, Burton-upon-Yore, Nostrefield, Thorn, Well, Tanfield, Aynderby with the Steeple, Humton, Garston, Berdene, Fosterley, Scotton, Rysewyke, Coverham, Caldeburgh, Melmorby, Aclethorp, Serafton, Clyfton, Watlows, Bermyngham, Neweson, Bellerby, Richmond, Scurveton, Fyngale, Westwyton, and Estwyton, with the appurtenances in the same County of York, and of 8 messuages, 4 tofts, 2 gardens, 2 oxgangs, and 15 acres of land, and

5 acres of meadow called Rymourlands in Masham, Ilketon, Feerby, Sutton, and Ellyngton, which the aforesaid Henry late Lord le Scrop newly purchased to him, his heirs and assigns, of one Thomas Rymour of Masham : * * * and further they say, upon their oaths, that Sir John Lescrop, Knt., on the 24th day of July, in the 3rd year of the reign of the said lord the now King, hath entered into all the aforesaid manors, lands, and tenements with the appurtenances, claiming and supposing the parcels of the same manors, lands, and tenements, with the appurtenances, to be entailed to him by three forged deeds made under the name of John Aldburgh to one Sir Geoffrey Lescrop, Knt., ancestor of the same John Lescrop and the heirs of the same Geoffrey begotten, the date of which deeds are at York, the 22nd day of the month of September in the 13th year of the reign of the Lord Edward after the Conquest the 3rd, late King of England : also claiming and supposing the residue of the same manors, lands, and tenements with the appurtenances to be entailed to him by a certain other forged deed made under the name of John Gunwardby to one Sir Henry Lescrop, Knt., the son and heir of the aforesaid Geoffrey, the ancestor of the same John Lescrop, and the heirs of the body of the same Henry begotten, and of which deed the date is at Coverham, the 22nd day of the month of February, in the 25th year of the reign of the Lord Edward, after the Conquest of England the 3rd, late King of England. Whereas the aforesaid deeds made under the name of the aforesaid John Aldburgh, are not, nor ever were the deeds of the same John Aldburgh, neither did either of the aforesaid manors, lands, and tenements with the appurtenances specified in the same deeds, ever pass into the possession of the aforesaid Geoffrey, nor did the same John Aldburgh ever have anything in the same, nor give the same or any part thereof, to the aforesaid Geoffrey in form aforesaid ; and whereas the aforesaid deed made under the name of the aforesaid John Gunwardby, is not, nor ever was the deed of the same John Gunwardby, nor did any of the aforesaid manors, lands, and tenements with the appurtenances specified in the same deed, ever pass by the same deed into possession of the aforesaid Henry Lescrop, son of Geoffrey, nor had the same John Gunwardby anything in the same, nor ever give the same nor any part thereof, to the aforesaid Henry Lescrop, son of Geoffrey, in form aforesaid : and moreover they say that the aforesaid John Lescrop hath continually occupied and still occupies all the aforesaid manors, lands, and tenements with the appurtenances, from the aforesaid 24th day of July, unto the day of the taking of this Inquisition, and hath levied and received all the issues and profits thereof issuing by the same time. In testimony whereof to this Inquisition indented, as well the aforesaid escheator, as the Jurors aforesaid have put their seals. Given on the day, year, and at the place abovesaid.

No. 39.

The second Petition preferred to Parliament by John le Scrop, as set out on the Rolls of Parliament of the 20th Henry VI., A.D. 1444, Vol. 5, p. 41.

[TRANSLATION.]

To the King our sovereign Lord beseecheth meekly, the humble Liegeman

John, the Lord Scrope, that it please your Highness of your most abundant grace tenderly to consider how that he in the Parliament holden at Westminster, the 3rd year of our noble reign, sued a Petition in the form that followeth. [Here follows the recital of the first Petition by the same John le Scrope, of the assent of the Lords and the King thereto and of the clause of Purview (Proviso) added to the same assent as is hereinbefore set out. Whereby it appeareth openly that the said clause of Purview was made without knowledge or assent of your said Commons, and against the statute in such case made in time of the said King your noble father, of the which statute a copy is annexed to this Bill, upon which Act in Parliament made in form as afore the said suppliant came afore my Lord of Winchester now Cardinal of England, then Chancellor of England, openly in the Chancery at Westminster in the term of Trinity then next following, and there shewed his good and sufficient [en] tail according to the said inquests [Inquisitions] contained and specified in the said Petition in Parliament after the form of the said Act of Parliament, desiring that he by authority of the same Parliament, might enter into all the said Lordships manors, lands, tenements, fees, advowsons, possessions and inheritances in the said [en] tails and enquests [Inquisitions] specified by virtue of the said Act in Parliament, which entry by the same authority was then and there granted and awarded him by the same Chancellor as it more plainly appeareth of Record in the said Chancery; and the said suppliant in all the said Lordships, manors, lands, tenements, fees, advowsons, possessions and inheritances in the said [en] tails and inquests [Inquisitions] specified by virtue of the said Act and Award, entered, and them peaceably enjoyed unto, now late, that Christopher Conyers late the Escheator of Yorkshire, seized certain of the said Lordships, manors, lands, tenements, fees, advowsons, possessions, and inheritances, into your noble hands by virtue of certain Inquisitions taken before him by virtue of his office, coloured by matters contained in the said clause of Purview; in which Inquisitions it was found by men uninformed in anywise of the right of the said beseecher, that the said Henry late Lord Scrop was seized the day of his said forfeiture of the said certain of the said Lordships, manors, lands, tenements, fees, advowsons, possessions, and inheritances in his demesne as of fee-simple; whereupon your said beseecher hath been to his great anientisement [annihilation] of body and goods greatly vexed and laboured, and that the sovereign Lord of your excellent right wisdom, graciously considering the said conscience of your said noble father, the authority of the said Parliament, the age and long service of the said beseecher to you, and to your noble progenitors without reward, and in especial how that at the time of the said Act and clause of Purview made all the said Lordships, manors, lands, tenements, fees, advowsons, possessions, and inheritances seized into your said noble father's hands by reason of the said forfeiture, as afore, were then severally granted by letters patents of the said King your noble father, or of your sovereign Lord to divers persons remaining at that time in your said hands, no part of them, so that ye by that clause of Purview nor anything therein contained may have no avail; but your said beseecher continual vex-

ation and trouble against all good faith and conscience, will ordain by the advice of the Lords spiritual and temporal in this present Parliament by authority of the same Parliament, that the said entry so made by the said beseecher and possession by him, had by force of the same entry in all the said Lordships, manors, lands, tenements, fees, advowsons, possessions, and inheritances, with all their appurtenances in all the said Inquisitions specified by virtue of the said Act, be good, just, effectual, and available in law by authority of this same Parliament, the said clause of Purview or anything contained therein, and all things followed depending and executed thereupon notwithstanding; and that the sovereign Lord of your said benign grace will by the said authority of this same Parliament, amove your said hands of all the said Lordships, manors, lands, tenements, fees, advowsons, possessions, and inheritances, with all their appurtenances in all the said Inquisitions specified, and to ordain that he by the same authority may enter into the same Lordships, lands, tenements, fees, advowsons, possessions, and inheritances with all their appurtenances, and them to have, enjoy, and inherit according to his title found for him in the said enquests [Inquisitions] taken by virtue of the said Commissions granted upon the said petitions of right specified in the said Act of Parliament, and thereto to be restored with the issues and profits thereof, taken and received from the day of the said Inquisitions afore the said Christopher Conyers, and that the Chancellor of England for the time being, grant and make to the said suppliant such and as many writs to such and as many officers, farmers, and others as needeth or shall need in this case, saving always to our sovereign Lord and your heirs the right, title, and interest of reversion of fee-simple that be fallen or may fall to you or to your heirs, because of the said forfeiture after the said [en] tails dispended [spent]; and to all your liegemen their rights, title, and interest had or to be had, as well by any reason or cause lawful grown or sourding [arising] afore the date of the said [en] tails of the said Lordships, manors, lands, tenements, fees, advowsons, possessions, and inheritances, or any parcel of them that the said suppliant entered in as afore, as by any discontinuance of them, or any parcel of them, since made by the said suppliant or any of his ancestors: and which Petition in the aforesaid Parliament being read, heard, and fully understood to the same Petition, with the advice and assent aforesaid, answer was thus made.—The King with the advice and assent of the Lords spiritual and temporal, and the Commons assembled in this present Parliament, hath granted all the contents of this Petition in all points.

No. 40.

An Inquisition post mortem taken the 31st Henry VI., A.D. 1452, No. 43, as to the Manors or Lands which were held by Sir William Fitzhugh, Knt., by which it was found that he was possessed at the time of his death of the following (amongst other lands)

VIZ :—

MASHAM.—One messuage, two bovates of land, and one cottage there	} YORK.
ELLYNGTON.—One messuage and eight acres of land there	..					
SUTTON near MASHAM.—One toft, one croft, and two acres of land there	..	..	..	..	..
YLKETON.—One messuage and eight acres of land there	..					
FEYRBY.—One toft, and six acres of land there all called "Rymour Lands"	..	..	..	..	..

No. 41.

Grant from Lord le Scrop by way of Marriage Settlement to Thomas his son, and Elizabeth Daughter of Ralph Lord Greystock, of the Manors of Masham, Colsterdale in Mashamshire, Sutton, Fearby, Ellington, and Helagh, dated the 4th May, 31 Henry VI., A.D. 1453.

[TRANSLATION.]

Know all men present and to come, that I, John Lord le Scrop, have given and granted, and by this my present deed indented, have confirmed to Thomas my son, and Elizabeth * daughter of Ralph Lord de Graystoke † [and] the heirs of their bodies between them lawfully begotten, my manors, of Masham, Colsterdale in Mashamshire, Sutton, Ferby, Ellington, and Helagh———and all other my lands and tenements in Masham, Colsterdale in Mashamshire, Sutton, Ferby, Elyngton, and Helagh aforesaid, with their appurtenances : to have and to hold the said manors, lands, and tenements, with their appurtenances, to the aforesaid Thomas and Elizabeth and the heirs of their bodies between them lawfully begotten of me and my heirs ; rendering therefore to me and my heirs one rose yearly in the season of roses, if it shall be demanded ; and paying and supporting all other the charges and services therefore due and of right accustomed : saving and reserving to me the advowsons of the Churches of the same manors, and the

* See *ante* p. 239, and note as to this marriage.

† Mr. Davies in his *York Records of the 15th Century* says, that this Lord Greystock was Cousin to King Edward IV., his mother being half-sister of Cicely Duchess of York ; citing *Collectanea Topog. et Geneal.* I, 297, and that he was frequently employed in public affairs, and that his name appears in several Commissions issued during the reign of Edw. IV. : also that his principal residence was the Manor-house of Hinderskelfe, on the site whereof the princely mansion of Castle Howard now stands.

None of the Peerages, however, mention this daughter of Lord Greystock.

wild animals, and also the woods of and in the manors, lands, and tenements aforesaid; except that the same Thomas and Elizabeth, and the heirs of their bodies between them lawfully begotten, and their tenants there as well at will as for a term of years, shall have and receive in the woods aforesaid, sufficient timber and wood for reasonable house bote, hay bote, fire bote, and plough bote, when they shall have need by the view and delivery of the surveyors, receivers, or foresters of me, the said Lord le Scrop; and if the said Thomas and Elizabeth die without heir of their bodies between them lawfully begotten, then all the aforesaid manors, lands, and tenements, with the appurtenances (except before excepted) shall remain to the right heirs of the same Thomas and their heirs; and I, the aforesaid Lord le Scrop, and my heirs, will warrant and defend the said manors, lands, and tenements, with the appurtenances (except before excepted) to the aforesaid Thomas and Elizabeth, and the heirs of their bodies between them lawfully begotten against all men for ever. In testimony whereof, to this my deed indented, I have affixed my seal, these being witnesses—Henry Thebaytes, John Stafford, and Nicholas Belle (Rector of the Parish Church of Watlows), and others. Given the 4th day of the month of May, in the 31st year of the reign of King Henry, after the Conquest of England the 6th.

No. 42.

An Inquisition post mortem, taken the 15th Edw. IV., A.D. 1475, No. 41, as to the Manors or Lands which were held by Sir Thomas Scrope of Masham, by which it was found that he was possessed at the time of his death of the following (amongst other manors)

Viz:—

THORNTON-WATLWS.—* Great Burton-upon-the-Yore—Masham							} YORK.
Manor	..	..	..	..	..	..
CLIFTON MANOR	..	..	..	..	..	..

No. 43.

An Inquisition post mortem, taken the 1st Rich. III., A.D. 1483, No. 38, as to the Manors or Lands which were held by Richard Pygott, by which it was found that he was possessed at the time of his death of the following (amongst other manors)

Viz:—

MANOR OF LITTLE BURTON-UPON-THE-YORE *							} YORK.
MASHAM.—Messuages, &c.	..	..	..	..	..	..
FERRIBY.—Messuages, &c.	..	..	..	..	..	..

* This Inquisition shews that the Low, or Little-Burton, Estate did not come to the Wyvill Family through the Scropes, as is generally supposed. We here see that it belonged to the Pigots of Clotherholme near Ripon; and we have already seen *ante* p. 342 that Joan Pigot (a member of this family) having married Robert Wyvil, brought this Estate with her into the Wyvil family.

No. 44.

An Account of the manors, lands, tenements, rents, reversions, and services, advowsons of Churches and Chantries, and all other hereditaments, in the County of York, and in the County of the City of York, the Counties of Lincoln, Nottingham, and Northumberland, which were the inheritance of Jeffrey Lord Scrope of Upsall, as they are parcelled out to his several heirs by the Partition Deed dated 10 October, 12 Hen. VIII., Anno Domini 1520. (Swinton MSS.)

All the manors of Clifton, Nosterfield, Burton-Constable, Hunton, Gareston [Garrison] Woodhall, Unthanke, and all lands and tenements in Clifton, Nosterfield, Burton-Constable, Hunton, Gareston, Woodhall, and Unthanke, aforesaid, with the appurtenances in the County of York; and the Reversion of the Manors of Carleton Scrope in the County of Lincoln, Walton in the County of Northumberland, and all the lands and tenements in Carleton Scrope, and Walton aforesaid, with the appurtenances, after the death of Dame Eleanor Scrope widow of Lord Rauf Scrope, Lord of Upsall: and the Reversion of the Manor of Suthmuskham aforesaid, with the appurtenances, after the death of Henry Lord Scrope of Bolton, and the said dame Eleanor Scrope, and the Reversion of all the lands and tenements in Harworth in the County of..... with the appurtenances, after the death of the said Lord Henry, and 13*d.* of yearly rent going forth of the Manors of Driffeld in the County of York, and Sowthursby in the County of Lincoln, with the advowson of the Church of Fyngall, the advowson of two Chantries founded in the Cathedral Church of York, the advowson of the Church of Carlton Scrope, and the advowson of the Church of Hunton, are allotted to Nicholas Sterley, Elizabeth his wife, Charles Dransfield, Alice his wife, Rauf Batty, Mary his wife, Lancelott Esshe, Dorotheie his wife, Marmaduke Wyvill, and Agnes his wife (as in the right of their wives, daughters, and heirs of Dame Elizabeth Fitz Randulf, sister and one of the heirs of the said Jeffrey Lord Scrope) and to their heirs for their equal purpartie and part to them belonging of all the manors, lands, and tenements, which were the inheritance of the said Lord Scrope of Upsall, within the Counties aforesaid.

All the manors of Aynderby, Woodlathes, Ecclesall in the County of York, the manor of Barnolby in the County of Lincoln, and all lands and tenements in Aynderby, Woodlathes, Eccleshall, and Barnolby aforesaid, and the Reversion of the manors of Upsall, South Kylvyngton, Thornbergh, Over-Silton, Nether-Silton, and Scroton aforesaid, with the appurtenances, after the death of the said dame Eleanor Scrop; and the Reversion of the manor of Waddlesworth in the County of York, and all the lands and tenements in Waddesworth in the County of York, and all lands and tenements in Waddesworth after the death of Elizabeth Aire, widow; and the Reversion

These observations, however, do not apply to the High-Burton or Great-Burton Estate; which as will be seen by the Document No. 42, was formerly the property of the Scrope family, and as such fell to the ancestors of the Wyvils on the partition of the estates of the Scopes.

of the manor of Colsterdale in the County of York, and a yearly rent of £10 12s., going out of the manor of Bilton in the County of the City of York; and all lands and tenements in Colsterdale aforesaid, with the appurtenances, after the death of Henry Lord Scrope of Bolton, and 18s. 11d., going yearly out of the manors of Masham and Watlows, with the appurtenances in the County of York; with the advowson of the Church of Kylvyngton, the advowson of the Vicarage of Aynderby, advowson of the Parish Church of St. Martyn in York, are allotted to Sir Thomas Strangwais, Knt., son and heir of Dame Alice one of the sisters and heirs of the said Henry Lord Scrope, and to his heirs, for his equal purpuartie in part to him belonging, of all the manors, lands, and tenements which were the inheritances of the said Lord Scrope of Upsall, in the Counties aforesaid.

All the Manors of Masham and Watlass in the County of York, and all lands and tenements in Masham and Watlous aforesaid, with the appurtenances; and the Reversions of the manor of Driffild in the County of York, and Suthersby in the County of Lincoln; and all lands and tenements in Driffild and Suthuresby aforesaid, with the appurtenances, after the death of the said Dame Elionor Scrope, with the advowsons of the Churches of Scroton, Watlous, Kyrbyknolle, and the advowson of a Chantry in Driffild aforesaid; are all allotted to Dame Marjery Danby (the third sister unto the said Jeffrey) and to her heirs for her equal purpartie and part of all the said manors, lands, and tenements which were the inheritance of the said Lord Scrope of Upsall.*

No. 45.

Extract from "The Valor † of the Scite and demanes with the Graunges late in the occupation of thesaide late Monastery of Fountains; and also the Valor of dyvers lordshippes, maners, lands, and tenements, which were parcell of the lands belonging to the same late Monastery, with the Valew of the woods growyng upon the same," so far as relates to property lying within the limits of the Parish of Masham. [Date 9th September 32 Hen. VIII., A.D. 1540.]

THE GRAUNGE OF NUTWITH COTE.

Theis parcells make this hole Graunge, and is of the parishe of Masham

* This Document shews how a portion only of the estates of the last Lord Scrope of Masham, was divided at his death amongst his co-heiresses. It will be seen by this Document that Marjery Danby had allotted to her the manors of Masham, Thornton Watlass, and Driffild in Yorkshire, and the manor of Suthersby in Lincolnshire, besides the advowsons of the Churches of Scroton, Thornton Watlass, Kirkby Knowl, and a Chantry in Driffild. This, however, was not by any means all the property which came to her by the death of the last Lord Scrope of Masham, for by another Deed of Partition (relating to other estates) dated at Northallerton on the 11th December, 23 Henry VIII., A.D. 1532, there was assigned to her son Christopher Danby, Esq., "the manor of Neyland, and all lands, tenements, and hereditaments in Stoke in the County of Suffolk, and the manor of Poulscray in the County of Kent, the manor of Kettilby and Howell in the County of Leicester, and the Parke of Horsely, called Neyland Park in the County of Essex, and the free Chapel of Neyland in the County of Suffolk, and also all lands, tenements, and hereditaments in Neyland, Poulscray, Kettilby, Howell, and Newland Park aforesaid."

† I am indebted to John R. Walbran, Esq., F.S.A. (the author of the *Memorials of Fountains*

with Kirkby Malsherd, and be all the lands of the late Monastery ther.

Richard Bekeweth, * Lucy his wyfe, and Cristofer † his sonne hold the Graunge called Nutwith Cote, with edificez, with garthings adionyng, and one close called Slee Close, cont. by estimacion iiij acres, vjs. viij*d*.—iiij closes of arrable lond and medoo callid Corne Closes, cont. by estimacion xx acres, vjs. viij*d*. A close of arrable land and medoo called Cow Close, cont. by estimacion xij acres, xvs. A close of medoo callid Heck Hed, cont. by estimacion xij acres, xvs. A close callid Flat Close, cont. by estimacion xij acres, xijs. viij*d*., iiij closes of pasture adionyng callid Grene Closez, otherwise callid Cow-pastore, cont. by estimacion xl acres, xxs., ij closes of pasture called Cote Hed Closes, contenyng by estimacion iiij acrez, iiij*s*., and the herbage of a wood callid Flatwith Springe, cont. by estimacion xx acrez, nil; in all by yere iiij^{li}

Abbey) for this important record, which was copied by him from a paper-roll now in the possession of the Rev. H. J. Ingilby of Ripley Castle, and bears the signature of James Rokeby, an Auditor of the Court of Augmentations.

* It appears by Mr. Walbran's work above alluded to, that the Beckwith family had settled at Nutwith Cote long before the date of this document; and that a Richard Beckwith was holding the Grange of Nutwith Cote, and keeping certain of the Abbot's cattle and sheep there as early as in the year 1453, and was at the same time holding the office of Forester within the manor of Aldborough. It appears also by the *Compotus Stauri* of Fountains, that in 1481 a Richard Beckwith was living at Nutwith Cote, and that he annually appeared at the Abbey with his accounts from the year 1481 to the year 1494, with the exception of the year 1489; when he was represented by his son James. It is also stated in Abbot Huby's Rental of 1496, that Richard Beckwith held this Grange for a term of years at the annual rent of 30*s*.—he being also bound to keep 20 cows of the stock of the Monastery, and to return of their annual proceeds 13*st*. 4*lbs*. of butter at 12*d*. per stone; 26*st*. 8*lbs*. of cheese at 8*d*. per stone; with 10 stirketts, each to be worth 4*s*. By a Lease dated 4th July, 1495, the Abbot and Convent of Fountains demised to Richard Beckwith, Catherine his wife, and Richard their son "All their Graunge or Loge callid Nutwith Cote, with all the appurtenances in the Parish of Masham in ye shire of York," and also a tenement in the same Parish called Thwaite-house, with its lands and appurtenances, to hold the same from the feast of the Invention of the Holy Cross, then last past to the end and term of 48 years, upon the same terms as is mentioned above; and by another Lease dated the 4th July, 1538, the Abbot and Convent of Fountains demised to Richard Beckwith, Lucy his wife, and Christopher his son (being the same persons as are mentioned in the text) at the old rent of 30*s*., and £4 the Graunge of Nutwith Cote, with the tenement of Thwaite-house from the feast of the Invention of the Holy Cross then last past for the term of 48 years. I need hardly mention that soon after the granting of this last mentioned Lease, the dissolution of Fountains Abbey occurred when King Hen. VIII. seized upon and appropriated the possessions of the Abbey.

† This Christopher Beckwith (according to the Heraldic Visitation of Durham, taken in 1615) married Catherine Tunstall and had issue by her, Thomas, Robert, and Anthony, who also resided at Nutwith Cote. Thomas, the eldest son above named, was the father of Christopher, who was the father of Thomas, Roger, and Christopher.—This last mentioned Christopher married in 1679 (as his second wife) Ellen, daughter of Welbury Norton, Esq., of Sawley, sister of Thomas Norton, grandfather of the first Lord Grantley, and his son is supposed to have been the last of the Beckwiths who resided at Nutwith Cote.

The following entries which I have extracted from the Act Book of the Peculiar Court of Masham, will shew that this branch at least of the Beckwith Family had not as yet seen fit to desert the faith of their forefathers, notwithstanding the petty persecutions and annoyances they had to undergo at the hands of the puritanical faction which was at that time the dominant, although the least numerous and respectable party in this parish.

On the 22nd April, 1594, Anthony Beckwith of Nutwith Cote (the person of that name above-mentioned) was excommunicated by the Peculiar Court of Masham "for that a proper young woman was brought to his house and there bare a child begotten in fornication, and he hayth suffered her to depart unpunished." And on the 18th August, 1624, Christopher Beckwith of Nutwith Cote, and Ann Smyth, alias Beckwith, were presented in the same Court for "being married in a Priest's house without their Parish Church, without licence or banns asking."

ALDBURGH GRAUNGE. *

This is a manore, the hole particulars whereof do appere in this booke and be a rentyd in this vawew; and theis parcellis be of the parishe of Masham with Kirkby Malsherd, and of Tanfeld: and theis with the said members, make the hole and entere manore of Aldburgh. †

ALDBURGH GRAUNG.

Robert Browne ‡ holdeth the Manore and Graunge of Aldburgh, with the howses and boyldings thereunto pertenyng, with garthings adionyng, vs. A close of pasture callid Somer Close helez, contenyng by estimacion x acres, xs. A close of pasture callid Upper Lees and Nether Lez, contenyng clx

The Beckwiths were succeeded at Nutwith Cote, by another family of the name of Smurthwaite, but whether they were connected by marriage or otherwise I have not been able to ascertain. Marmaduke Smurthwaite who was lessee of Nutwith Cote, by his will dated the 27th April, 1633, desired "his bodie to be buried in the Parish Church of Masham," and directed his son Richard to pay out of Nutwith Cote twenty bushels of rie, four of wheat, eight of barley, and twenty of oats yearly, for and towards the education "of five of his children until the youngest shall obtain the age of sixteen years."

It will be seen (*ante* p. 287) that Richard Smurthwaite of Nutwith Cote (who was the son and successor of Marmaduke Smurthwaite before mentioned) on the 7th October, 1635, married Elizabeth Norton of Swinton, by whom he had a daughter, Catherine Smurthwaite, who on the 11th January, 1662, married Simon Bartlett (who afterwards took up his residence at Nutwith Cote). Simon Bartlett was succeeded there by his son John Bartlett. This last mentioned John Bartlett having died in August, 1706, he was succeeded by his son (another John Bartlett) who dying without issue on the 18th Dec., 1769, was succeeded at Nutwith Cote by his sister Catherine, then the wife of John Ascough of Nutwith Cote, gentleman. She was succeeded at Nutwith Cote, by her eldest son John Ascough, who dying without issue on the 6th February, 1774, was succeeded by his only brother Thomas Ascough. Thomas Ascough having died without issue in 1786 or 1788, Nutwith Cote came into the possession of the Pickersgill family, from whom it passed by will to the late James Ewbank, Esq., of Middleham, when it came to be occupied, as it still is, by the Ewbank family; and on the death of the last mentioned gentleman was sold to the Trustees of the Swinton Estates, and thus again became united with them after a severance from them of some 700 or 800 years.

* Aldburgh was acquired by the Monks of Fountains by a grant thereof to them, from Roger de Mowbray, the then Lord of Mashamshire, made very soon after he came into the possession of his inheritance. He states in the Grant alluded to, that Aldburgh had previously been granted by his father Nigel de Albini to the Monks of Pontigny in France.

† I have elsewhere stated that although the Township or Constablewick of Burton-upon-Yore (in which Aldburgh is situate) forms part of the Parish of Masham, it is not within the Manor of Masham and Mashamshire, and we here see that Aldburgh is a perfectly independent manor to itself and comprizes the whole of the lands there which formerly belonged to the monks of Fountains.

‡ In Abbot Huby's Rental of 1496, it is returned that a William Browne held the Manor or Grange of Aldbrough for a term of years at the annual rent of £17 10s., including a rent-charge of 4s. 4d. to Richmond Castle, being bound also to return annually of the issues of twenty cows, which he had to keep of the store of the Abbey, thirteen stones four pounds of butter, twenty eight stones eight pounds of cheese, and ten stirketts: and also to keep from Michaelmas to the 3rd of May, four hundred of their hogg sheep, the maintenance of which was valued at 80s., and on the 20th May, 1535, the Abbot and Convent of Fountains demised one half of their Grange of Aldbrough to Robert Brown, who was to hold it from the 25th March then last past, for the term of forty years at the annual rent of £5 3s. 8d., to keep a horse, ten cows, and a bull, and to render annually of the offspring of the said cows, five stirketts or stirks of one year old; also thirteen stones four pounds of butter, or the value of each at the election of the officials of the Convent, according to the custom had in Nidderdale.—See *Walbran's Memorials of Fountains*, p. 327.

On the 2nd Dec., 1635, and the 12th September, 1637, William Browne of Ilton, gentleman, was presented in the Peculiar Court of Masham, for not paying his assessment, for which offence he was on the last day of February, 1638, excommunicated.

acres, *iiij^{li}*. A close of pasture callid Yone Close, cont. by estimacion *xvj* acres, *xvjs*. A close of medoo callid Stable ing, contenyng by estimacion *xvj* acres, *xxijs*.: *ij* closes of arrable grounde over Stable ing, cont. by estimacion *xij* acres, *xijs*. A close of arrable lond lyeing by the lane syde, contenyng by estimacion *iiij* acres, *iiijs*. A close of medoo callid Thakeley Wrey, cont. by estimacion *xv* acres, *xxs*.; *ij* closes adionynge called Wheat Close and Kaver Close, containing by estimacion *vij* acrez, *vijjs*. A close of medoo callid Grenez, cont. by estimacion *x* acres, *xiijs*. *iiij^d*. A close of medoo callid Holmez, cont. by estimacion *xij* acres, *xxiijs*. A close of medoo callid Bigg ing, cont. by estimacion *ij* acres, *vs*. A close of pasture callid Wood Close, cont. by estimacion *vj* acrez, *vjs*. A close of pasture callid Cow Close, cont. by estimacion *lx* acrez, *xls*. A close of medoo callid Sekeley lond, contenyng by estimacion *xvj* acrez, *xviijs*. *vij^d*. A close of pasture callid Phesaunts' bushe, cont. by estimacion *xvj* acrez, *vijjs*. A close of medoo callid the High Nuk, cont. by estimacion *xx* acres, *xxs*. A close callid Ridding ings, contenyng by estimacion *xij* acres, *xijs*. A parcell of ground callid Thevis Gill, cont. by estimacion *ij* acres, *xij^d*. A close callid Eke hed, cont. by estimacion *v* acres, *vs*. The herbage of a wood callid Aldburgh Wood, cont. by estim. *xxx* acres, *nil*; in all. *xvj^{li}* *xs*.

NORTH COTE.

Richard Lister * holdeth a Tenement or Graunge callid North Cote, with edificez, landes, medos, and pastores thereunto belonging; lyeing within and parcell of the said Graunge of Aldburgh aforesaid, and is worth by yere *vij^{li}*. *xxij^{li}*. *xs*.

POTT GRAUNG.

Parcell of the manore of Aldburgh † and the morez and wasts unto theis parcell belonging, be callid Pott-more and Cowme Fell, and be the propre soyle and ground of the late Monastery, and is parcell of this Valew, and makez the hole graunge of Pott, and is of the Parishe of Masham with Kirkby Malsherd; and the same parcell contenyth all the hole lands of the late Monastery ther.

* A person of the name of Thomas Lyster, held the Grange of Aldborough under Fountains in 1456, and until 1482, when Richard Robinson, his son, appeared for him at the annual Audit, and afterwards was tenant there until 1488-89, when he died.—Walbran's *Memorials of Fountains*, p. 329.

In the year 1552, a Mr. Richard Lyster, gentleman, was residing in Masham.—The will of his wife will be found in a subsequent part of this work, from which it seems that she was nearly related to the Dodsworths and the Beckwiths, of this Parish.

† We here see that Pott-Grange is parcel of the manor of Aldborough.—In confirmation of which I may state that it was formerly the practice of the tenants of Pott-Grange, Ashhead, and of other places in that neighbourhood, which formerly formed part of the possessions of the monks of Fountains, to appear at, and to do suit and service as tenants of the Manor Court of Fountains Earth; and that this practice continued to be acted upon until about 80 years ago, when Mr. Danby required his tenants to cease answering at the Manor Court of Fountains Earth, and in lieu thereof to attend, and do suit and service at his own Manorial Court at Masham. Since that time, but not before, these places have been considered and treated as situate in, and forming part of the manor of Masham and Mashamshire—a position which can by no means be supported. I presume that Mr. Danby considered that as his ancestor Sir Thomas Danby, had in the 29th Elizabeth,

A PARCELL OF POTT GRAUNGE.

Sir X'pofer Danby, Knyght, holdeth a parcell of the Graunge callid Pott, that is to say:—a tenement with other edificez, garthez, and garthings thereunto adionyng, ijs. iiij*d*. A close callid Sowrye Close, cont. by estim. x acrez, xs. A close of pasture callid Somersyde, cont. by estim. xxx acrez, xxxs. A close of medoo callyd How Ing, cont. by estimacion ij acrez, ijs. viij*d*. A close of medoo callid Stubbe, cont. by estimacion viij acres, xs. A close of medoo callid Morehouse Ing, cont. by estim. xvij acrez, xxij*js*. A close of pasture callid Gremesdell, cont. by estimacion xvj acres, xs. A close of medoo callid Wood Ing, cont. by estimacion x acrez, xij*js*. iiij*d*. A close of pasture callid Horse Close Bank, contenyng by estimacion xvj acres, xs. viij*d*. A close of pasture callid the Ing-bank, *Sive* Intak, cont. by estimacion x acres, v*js*. viij*d*. A close of pasture callid Littell Nether Wood, inclosed within Lighton Park, which close the said Sir Cristofer Danby Knt., occupieth in recompence of xxv*js*. viij*d*., for an annuall rent for a kow rake dew unto him at the said Graunge of Pott, and paith yerely *nil*, and common of pastore upon the more callid Pott more, withoute stynte belonge to the said Graunge—v*js*. viij*d*.

AN OTHER PARTE OF POTT GRAUNGE.

Cristofer Bekeweth and John Bekew^t * his son, hold the iij part of Pott Graung, that is to say:—A mansion house with other buildings and with garthings adionynge, ijs. iiij*d*. A close of medoo and pastore callid Helme Close, cont. by estimacion xxx acres, xxxs. A close of pasture callid Rughe Close, cont. by estimacion xxx acrez, xs. A close of course medoo called Stote Fauld, cont. by estimacion xxx acrez, xs. A close of medoo callyd Ox-over Kell plane, cont. by estimacion vi acrez, v*js*. A close of medoo callyd William Ing, cont. by estimacion vj acrez, vs. A close of medoo callid Steward Ing, cont. by estimacion v acres, vs. A close of pastore callid Calfe Close, cont. by estimacion x acres, vs. A close of pasture callid Netherwood, cont. by estimacion xx acrez, xij*js*. iiij*d*., in all by yere, with common of pasture upon the more callid Pott more, without stynt, iiij*js*. xij*js*. viij*d*.

ASHEHED, PARCELL OF THE SAID POTT GRAUNGE.

Richard Atkinson † holdeth a tenement with edificez callid Nether Ashehed with garthings adionying, ijs. iiij*d*. A close of pasture callid Ing Close, cont. xij acres, ijs. A close of course medoo, callid Netherside, cont. by esti-

bought Pott-Grange and all claims of right to the Royalties and Wastes thereof, that it thereupon ceased to belong to Fountains Earth; and that the tenants were not therefore bound to do suit and service at that Court: it may, however, be very true that the tenants were by force of the Grant released from doing suit and service at the Court of Fountains Earth, yet that circumstance did not, and could not (especially since the passing of the statute *Quia Emptores*) make the lands parcel of another manor, viz:—the Manor of Masham and Mashamshire, as appears to have been assumed by him.

* Christopher Beckwith and John Beckwith, here named, are supposed to be of the same family as the Beckwiths of Nutwith Cote, mentioned *ante* p. 508.

† William Atkinson held one part of the Grange of Pott in 1496, where William and Henry

macion xl acres, xxvjs. viij*d.* A close of pasture callid New Close, cont. by estimacion v acres, xx*d.* A close of pasture callid Arnagill Close, cont. by estimacion vj acres, ijs. A close of course pasture callid Cow Close, cont. by estimacion xl acrez, vjs. viij*d.* A close of pasture callid Calf Close, cont. by estimacion vj acres, ijs. A close of pasture callid Skell funte yate close, cont. by estim. vij acres, ijs. iiij*d.* A close of pasture callid Stirk Close, cont. by estim. vj acres, ijs. A close of pasture callid Tuppe Close, cont. by estimacion ij acres, xvj*d.*, in all with common of pasture upon the mores by yere —¹*s.*

OVER ASHEHED, PARCELL OF POTT GRAUNGE AFORESAID.

John Bane * holdith a tenemente callid Overeshed with edificez, garthers, and garthings, adionynge, ijs. iiij*d.* A close of medoo callid West Ing, cont. by estimacion xij acres, xijs. A close of medoo callid Este Ing, cont. by estimation viij acrez, viijs. A close of pasture callid Cauf Faw, conteyning by estimacion v acres, ijs. iiij*d.* A close of medoo callid New Close, conteyninge by estimacion iiij acres, ijs. iiij*d.* A close of pastore callid Cow Close, conteyninge by estimacion x acrez, ijs. iiij*d.*, in all with common of pasture upon Come Fell, without stynt, by yere xxxijs. iiij*d.*

xiiiij¹/₂. xvijjs. viij*d.*

Atkinson had an interest in 1480. The Abbot and Convent of Fountains by Indenture dated 2nd January, 1518, demised to Margaret Atkinson of Pott, and Richard Atkinson her son "all that parte of ther Graunge and loge callid Pott, with all closez, medowez, pasturez, &c." appurtenant then in the tenure of the lessees, from the 3rd of May then last past, to the end of thirty years, at the annual rent of 16*s.* It was also stipulated that "they yerly, during all the said terme, shall femanly, sayfly, and surly kepe upon the said tenement at their proper costes and charges, of the gudes and catell of the said Abbot and Convent, teen kye, two whyes, and two styrkes, at all times in the yere, and of the isshowes, revenuez, and profettes of the same kye and whies, yerely content, and pay and deliver at the Chese-howse of the Monastery of Founteyns, thyrteen stones and four pownds of chese, and sex stones and viiith powndes of butter, of gude and lawfull meete sufficient in weight afore the fest of Saynt Martyn in Winter, yerely, at the sight of the monke officer in the same for the tyme being," and likewise of the issues of the said ten kye and two whies, deliver five stirks worth four shillings each. They also "graunteth that they shall every thirde yere, duryng all the said terme, with Robert Loge or oder in his rowmeth for the tyme beyng, femanly, savelly, and surely keep upon the pastor appertenying to the Graunge and loge of Pott aforesaid, at yair propir costes and charges, a floke of weders of the nowmber of iiijc. of foresaid Abbot and Convent," from 29th September to the 3rd May.

On the 17th April, 1536, this Lease was renewed to Richard Atkynson of Pott, from the 3rd May then last past "unto the ende and terme of his lyffe naturall," upon the old terms and conditions.

Several of the Atkinsons long after the Reformation remained attached to the Roman Catholic religion. On the 8th April, 1618, Richard Atkinson and Agnes his wife, Margaret Atkinson and Marmaduke Atkinson her son, were severally presented in the Peculiar Court at Masham, "for standing excommunicate in not appearing to answer their Recusancy."—Walbran's *Memo-rials of Fountains*.

Several members of this family still linger in the Parish, amongst whom I may mention as such, is Mr. Joseph Atkinson of Round-Hill.

* The Banes, like most of the more respectable and substantial inhabitants of this Parish at that time, appear to have been Roman Catholics; and as such to have been cited on different pretences in our Ecclesiastical Court here. On the 13th September, 1633, the wife of Humphrey Bane of Somerfield, was presented in it "for not coming to Church to give God thanks for her safe deliverance in child-birth;" and Matthew Baines "for carding on two several Sabbath days," and on the 18th December, 1634, the 12th April, 1636, the 9th Oct., 1638, and the 8th June, 1641, the former was again presented as a Popish Recusant, and excommunicated accordingly.

THE RESTE OF THE MANOR OF ALDBRUGH.

Theis be parcell of the manor of Aldbrughe, and be of the Parishe of Masham with Kirkeby Malsherd, and be al the lands of the late Monastery there.—Item.—the wastes and morez belonging to the same Townez is called Rowmore, and is the propre soyle of the same late Monastery, and contenyd in this Valew.

SWYNTON.

Item.—ther be vij tenements late in the tenure of Rauf Bekewyth, * ter, xijs. Richard Slater, † xijs. William Chapelhouse, ‡ Richard xijs. xxxijs. iiij*d*. John Adamson, § xiijs. iiij*d*. John Bekwith, xs. John Sla-

Pott-Grange as we have seen *ante* 297, was long the residence of an influential family of the name of Ascough, and was the birth-place of William Ascough, Bishop of Salisbury, who was murdered in Jack Cade's Rebellion on the 29th June, 1450 :—Thomas Ascough who was Sheriff of the City of York in 1592-93 ; Robert Ascough who was twice Lord Mayor of the City of York, viz :—in the years 1580 and 1593, and also M.P. for York from 1588 to 1592 ; and Sir Robert Ascough, who was twice Lord Mayor, viz :—1606 and 1617, and also M.P. for York.

The family appears to have been connected with the monks of Fountains, for according to the *Compotus* of the Bursar of Fountains for 1457, William Askwith was keeper of the Abbot's cattle at Pott-Grange ; and in the *Compotus Stauri* of 20 Edward IV., A.D. 1480, Thomas Askwith appears to hold a mediety of Pot-Grange, and to render the same service until 1488, when Miles Askwith appears in his room and was resident there in 1490, and in 1496, Margaret Askwith was tenant of a mediety of Pot-Grange.—See Walbran's *Memorials of Fountains*, p. 332.

Benjamin Pulleine Ascough, Esq., now Mayor (for the second time) of the City of Ripon, is descended from this notable family.

* By an Indenture dated 20th February, 1518, the Abbot and Convent of Fountains demised to John Beckwith of Pott, and John his son a tenement, that is to say—one toft built upon, and a croft, also 8 acres of lapd, and one acre of meadow in the vill and territory of Swinton in the tenure of the said John of Pott, for the term of their naturallives and that of the longer liver, at the annual rent of 12s.—Walbran's *Memorials of Fountains*, p. 333.

† In 1496, John Slater and Richard Slater, each held a tenement in Swinton of the monks of Fountains.—See Walbran's *Memorials of Fountains*, p. 333.

On the 9th Sept., 1622, “Anna the wife of Jo. Slater” of Swinton, husbandman, was presented in the Peculiar Court of Masham, as a Popish Recusant. On the 18th Dec. 1628, John Slater was also presented in the same Court as a Popish Recusant and an excommunicate person ; and also again on the 13th May, 1631. On the 20th March, 1638, “Thomas Slaiter, Schoolmaster at Ellingstring” was presented in the same Court “for teaching schollars without a licence and for standing excommunicate.”—his will is dated 30th March, 1667. On the 4th March, 1612, Peter Slater of Ellingstring, Slayter, bequeathed his cottage there to his wife “upon condicion that if any of my children shall chance to fall sicke, she shall lett them have house-roome, bed-roome, and fyre-roome within the same till they be recovered.”

‡ William Chapellowe held this tenement at the same rent in 1496.—See Walbran's *Memorials of Fountains*, p. 333.

§ John Adamson held this tenement in 1496.—*Ibid*.

On the 28th Feb., 1627, John Adamson and his wife of Swinton, “were presented in the Peculiar Court of Masham as Popish Recusants,” and also on the 13th May, 1631. On the 13th May, 1635, they are presented again for the same offence along with their daughter Margaret. On the 20th March, 1638, “Margaret Adamson, the wife of John Adamson of Swinton,” was presented in the same Court “for looking corne on the Sabbath day in summer last ; she being rebuked for so doing, answered, that she was better employed than they that went to Church to pray ;” and on the 3rd June, 1641, John Adamson and his wife, and Anthony Adamson, John Adamson, Henry Adamson, and Margaret Adamson, were all excommunicated for being Popish Recusants. John Adamson, of Swinton, Yeoman, by his will dated 30th May, 1642, gave unto his son John Adamson, all his lands and tenements in Thornton Rust, to his son Henry Adamson, “all such lands and tenements as I purchased of Maior Norton, gent., Swinton ;” and to his son Anthonie Adamson,

Beckwith, xiijs. iij*d.*, with all lands, medoos, pastors, commons, and wastes thereunto belonging, whiche be parcell of the sade Graunge of Aldbrughe, in all by yere—cvjs.

ILKTON.

Item.—There be v tenements in Ilketon, late in the tenure of William Lodge * xijs. William Stele, vis. viij*d.* John Lambert, † ijs. John Pot, ‡ xijs. Symond Smerthuate, xijs., and in fre rent for the lands of Simon Lawson, § v*d.*, with all lands, medoos, pastors, commons and wastes unto the same tenements belonging; which be parcell of the sade Graung of Aldbrughe, in all by yere—xlvs. iij*d.*

WARDENMERSK.

Item.—The herez of Jamez Danby, Knight, hold a parcell of ground nere the water ther, ijs., and a tenement ther late in the holdinge of Thomas Masterman || xiijs., with all the lands, medoos, pastors, commons, and wastes therunto belonging; which be parcell of the sade maner of Aldbrughe, in all by yere—xvjs.

viij*li.* vijs. iij*d.*

Signed JAMES ROKEBY.

No. 46.

Copies of Court Rolls of the Manor of Masham.

Manor of Masham } To wit.—At the Court Leet or View of Frankpledge
in the } of the worshipful Abstrupus Danby, Esquire, Lord
County of York. } the same manor, holden at the Toll Booth in Masham
aforesaid, on Tuesday, to wit the 20th day of October, in the 1st year of the reign of the Lord James the 2nd, now King of England, &c., and in the year of our Lord 1685, before Roger Bayne, gentleman-steward of the Court there.

The names of the Jurors for the Court aforesaid called

FOREST JURY.

Thomas Bowes

Sworn. John Pickersgill

Sworn.

"all the rest of his lands."—He mentions his daughter Margaret Adamson and John Slater, *alias* Adamson, his grandchild, and desires "to be brought forth according to my calling."

* A person of this name held this tenement in 1496.—See *Ibid.* p. 333. The Lodge family was a very numerous one in this Parish, one of them, "Richard Lodge of Masham, Butcher," made his will dated 30th June, 1665.

† John Lambhird held four waste tofts in Ilketon, of the Abbot of Fountains in 1361. See Walbran's *Memorials of Fountains*, p. 333. On the 1st April, 1619, Simon Lambert was presented for teaching at Ilton, not known to be licensed.

‡ Thomas de Pott held in Ilkton in 1360, a messuage, an oxgang of land, a waste toft, and half an acre of land, at the annual rent of 4*s.* 4*d.*, and three boon days at Aldborough Grange.—*Ibid.*, p. 333.

§ In or before the time of King Edw. III., John Lowson held by charters under the Abbot of Fountains, a messuage and three acres of land in Swinton. And in 1361, Richard Lowson held in Swinton, a messuage, four oxgangs, and an acre and a half of land at the annual rent of 21*s.* 5½*d.*—*Ibid.*, p. 334.

|| James Masterman of Ilton, husbandman, by his will dated 17th Feb., 1605, directs his body to be buried in Masham Churchyard.

Christopher Dawson	Sworn.	Peter Burrell	Sworn.
William Ogle	Sworn.	Thomas Hanley.	Sworn.
Henry Adamson	Sworn.	Peter Hanley	Sworn.
John Ripley	Sworn.	Richard Sturdy	Sworn.
William Longstaffe	Sworn.	George Preston	Sworn.
George Beckwith	Sworn.	William Hodgeson	Sworn.
Wilfrid Skafe	Sworn.	George Burrell	Sworn.

Also the Jurors aforesaid at the Court aforesaid holden for the manor aforesaid, on the day and year abovesaid, in due manner impannelled, sworn, and charged to enquire of and present those things which at the Court aforesaid were presentable upon their oath say and present.

Also they present that John Pickersgill of Ellingstring, in the County aforesaid, yeoman, on the 15th day of October, in the year of our Lord 1685, had and placed one mare infected with the mange to pasture upon the moor or common of Ellingstring aforesaid, and which mare remained there by the space of four days and upwards the next following, against the form of the Statute. Therefore he hath forfeited to the lord of the manor 10s.

No. 47.

Manor of Masham } At the Court Leet or View of Frankpledge of the
in the } worshipful Abstrupus Danby, Esquire, Lord of the same
County of York. } manor, holden at the Toll Booth in Masham aforesaid,
on———day, to wit the 23rd day of April, in the second year of the reign
of the Lord James the 2nd now King of England, &c., and in the year of
our Lord 1686, before Roger Bayne, gentleman-steward of the Court there.

The names of the Jurors of the Court aforesaid called Ellingtons' Jury.

Robert Thompson	Sworn.	James Williamson	Sworn.
Thomas Plewes	Sworn.	William Powter	Sworn.
Anthony Williamson	Sworn.	George Thwaite	Sworn.
Thomas Pratt	Sworn.	Christopher Jackson	Sworn.
Richard Smorthwaite	Sworn.	John Thompson	Sworn.
Marmaduke Plewes	Sworn.	Christopher King	Sworn.

Also the Jurors aforesaid, at the Court aforesaid, holden for the manor aforesaid, on the day and year abovesaid, in due manner impannelled, sworn, and charged to enquire of and present those things which at the Court aforesaid, were presentable upon their oaths aforesaid say and present.

Also they present that John Pickersgill of Ellingstring in the County aforesaid, Yeoman, on the 20th day of April, in the year of our Lord, 1686, with force and arms, &c., broke into the common pound at Ellingtons aforesaid, and then and there rescued and drove out certain cattle then being in the same pound. Therefore he is in mercy 5s. And which americiament by the affeerers of the same Court was affeered at 2s. 4d.

Affeerers of the { Robert Thompson. }
Court aforesaid. { Anthony Williamson. } Sworn.

No. 48.

Manor of Masham } To wit.—At the Court Leet or View of Frankpledge
in the } of the worshipful Abstrupus Danby, Esquire, Lord of
County of York. } the same manor, holden at the Toll Booth in Masham
aforesaid, for the manor aforesaid, on Saturday, to wit the fifth day of May,
in the fourth year of the reign of James the second, now King of England,
&c., and in the year of our Lord 1688, before Roger Bayne, gentleman-stew-
ard of the Court there.

The names of the Jurors for the Court aforesaid called FOREST JURY.

Thomas Bowes	Sworn.	Matthew Imeson	Sworn.
Richard Sturdy	Sworn.	Matthew King	Sworn.
Robert Leathley	Sworn.	Peter Barker	Sworn.
Richard Mankin	Sworn.	John Burrell	Sworn.
Thomas Ripley	Sworn.	Anthony Gibson	Sworn.
William Hodgson	Sworn.	William Pickersgill	Sworn.
George Beckwith	Sworn.	Vincent Cooper	Sworn.
Anthony Watson	Sworn.	John Olliver	Sworn.
Robert Preston	Sworn.		

Also the Jurors aforesaid, at the Court aforesaid, holden for the manor aforesaid, on the day and year abovesaid, in due manner impannelled, sworn, and charged to enquire of and present those things which at the Court aforesaid were presentable upon their oaths aforesaid, say and present.

Also they present that John Pickersgill of Ellingstring, in the County aforesaid, Yeoman, on the fourth day of May, in the year of our Lord 1688, at Ellingstring within the manor aforesaid, and the precinct of the Court aforesaid, with force and arms, &c., made an affray and assault in and upon one Christopher Durham, and then and there drew blood from the same Christopher. Therefore he is in mercy 20s. And which amerciamment by the affeerers of the same Court was affeered at 10s.

Affeerers of the { Thomas Bowes. }
Courts aforesaid. { Richard Murdy. } Sworn.

APPENDIX.

B.

CHARTERS GRANTING FREE-WARREN, MARKETS, AND FAIRS IN MASHAM,
AND PROCEEDINGS BY QUO WARRANTO RESPECTING SAME, AND THE
FREE CHASES.

No. 1.

Charter granted by Henry III., to John de Wauton, dated 1st June, 35 Hen. III., A.D. 1250, of Free-warren, a Market, and a Fair in Masham.—Charter Rolls.—35 Hen. III., m. 6.

[TRANSLATION.]

For John de Wauton.—The King to Archbishops, &c., greeting. Know ye that we have granted, and by this our charter confirmed to John de Wauton, that he and his heirs for ever, have Free-warren * in all his demesne lands of Masseham in the County of York, provided, nevertheless, that the same lands be not within the metes of our forest; so that no one enter the same lands to hunt in the same, or to take anything which to warren appertains, without the licence and will of the same John, or his heirs, upon forfeiture to us of Ten Pounds. We have given to the same John, that he and his heirs for ever, have one market every week on Friday, at his same manor of Masseham; and that he have in the same one fair † every year of three days duration—that is to say, on the eve, the day, and the morrow of the Assumption of the Blessed Mary. ‡ Unless the same market and fair

* As to what a Free-warren is, see *ante* p. 48.

† Spelman says, that Fairs are of Saxon origin, and that they were first instituted in England by King Alfred, A.D. 886. In early times the Monks celebrated the festival of their patron Saint on these days, and the vast resort of people to them, occasioned a great demand for goods, wares, &c. It will be observed that the Fair granted by this Charter (and which is the Fair now held on the 17th, 18th, and 19th days of September) is to be held on the festival of the patron Saint of Masham Church, viz :—of the Blessed Virgin Mary.

For the reasons mentioned above, and of the Fair being held on the Feast of the dedication of the Church, I think it very probable that a Fair had been held at Masham, and at this season, long previous to the date of this Charter, and that this Charter is merely in the nature of a confirmation of a previously existing right to hold the Fair by prescription.

This Charter it will be observed grants no toll, and therefore no toll is demandable at it, as I have already shewn *ante* pages 51 and 52.

‡ By the Statute 27 Henry VI., cap. 5 (passed A.D. 1448) Fairs were prohibited being held on the High Feast of the Assumption of our Blessed Lady, from which date no Fair could be held on that day. This Act (27 Hen. VI., cap. 5) however, was only repealed so lately as by the 13 and 14 Vict., cap. 23, although it had long ceased to be observed.

As I have already mentioned *ante*, this is the same Fair which is now holden on the 17th,

be to the damage of the neighbouring markets and fairs. Wherefore we are willing, &c.—Witnesses, &c. Given by our hand at Merewell, the first day of June.

No. 2.

Charter granting to Jeoffrey le Scrop Free-warren in his lands, and a market and fairs at his manor of Masham, dated 28th October, 2 Ewd. III., A.D. 1327.—Charter Rolls a. 2 E 3. n. 27.

[TRANSLATION.]

For Geoffrey le Scrop.—The King in these words. Know ye that we of our special favour have granted and by this our Charter have confirmed to our beloved and faithful Geoffrey le Scrop, that he and his heirs, may possess for ever a Free-warren * in all his demesne lands of Masham, Bellerby, Gertheston, Hunton, Silton, Thirne, Aglethorpe, Upsale, Thornbergh, and Kylvngton, in the County of York, and Maskham in the County of Nottingham, provided those lands be not within the metes of our forrest. Also that no one enter those lands to hunt in them, or take anything pertaining to the warren without the licence and consent of the said Geoffrey, or his heirs, upon forfeiture to us of £10. And that they have one market every week on Wednesday, at his manor of Masham in the said County of York, and two fairs there every year, which shall continue for 4 days, one to wit—on the eve and on the day of Saint Barnabas the Apostle,† and one other fair there on the eve and on the day of the Assumption of the Blessed Virgin Mary, ‡ unless that market and those fairs shall be to the injury of the neighbouring markets and the neighbouring fairs. Wherefore it is our wish, and we firmly direct for ourselves and our heirs, that the aforesaid Geoffrey and his heirs may have for ever, a free-warren in all his demesne lands aforesaid; provided those lands be not within the metes of our forest. Also, that no one enter those lands to hunt in them, or take anything pertaining to the warren, without the license and consent of the said Geoffrey or his heirs, upon forfeiture to us of £10. And that they have the aforesaid market and fairs

18th, and 19th days of September. The time of holding it has, however, been altered; as the Festival of the Assumption of the Blessed Virgin Mary is held on the 15th day of August, and the Fairs being on the eve, the day, and the morrow, would require to be held on the 14th, 15th, and 16th days of that month. Many instances could be adduced where the time of holding of Fairs has been altered, especially when the Fairs occurred during harvest-time, and thus interfered with the operations of the harvest. I apprehend that that has been one of the reasons why the alteration has been made in the time of the holding of this Fair.

* As the Grant of Free-warren made to John de Wauton previously mentioned, only extended to the lands held by him at the date of such Grant; and as Sir Geoffrey le Scrope had in the meantime acquired other lands besides those he derived from the Wautons, it was necessary for him to obtain a fresh Grant of Free-warren so that it might extend to the newly acquired lands.

† This Fair has long ceased to be holden.—See foot-note *ante* p. 50.

‡ This is the same Fair as was granted to John de Wauton A.D. 1250, except that it is granted for two days, instead of three days, as in the former Grant. It is substantially, as to this Fair, a mere confirmation of the former Grant to John de Wauton; and like it gives no toll. My observations, therefore, *ante*, as regards the toll equally apply to this Charter.

at his manor aforesaid, with all liberties, and free customs pertaining to a market and to fairs of this kind, unless that market and those fairs, shall be to the injury of the neighbouring fairs as aforesaid. As witness these venerable Fathers.—S. Archbishop of Canterbury, Primate of all England, H. Bishop of Lincoln, our Chancellor, The Bishop of Hereford, our Treasurer, R. Bishop of Coventry and Lichfield, Edmund Earl of Kent, our uncle, John de Waren Earl of Surrey, Henry de Percy, John de Wysham steward of our household, and others.

Given under our hand at New Sarum on the 28th day of October.

Under Writ of Privy Seal.

No. 3.

Charter granting to Sir Stephen le Scrope Free-warren in his lands, and a Market and two Fairs at his manor of Masseham, dated 7th May, 16 Ric. II., A.D. 1392.

[TRANSLATION.]

Richard by the grace of God, King of England and France, and Lord of Ireland: to Archbishops, Bishops, Abbots, Priors, Dukes, Earls, Barons, Justices, Sheriffs, Reeves, Ministers, and all his Bailiffs, and faithful men greeting. Know ye that of our special grace, we have granted and given licence for us and our heirs, as much as in us lies to our beloved and faithful Stephen le Scrop, Knight, that he and his heirs for ever, have one market every week on Wednesday, at their manor of Masseham in the County of York, and two fairs there, to be holden for six days, that is to say—one fair to be holden for two days before the Feast of St. Barnabas, the Apostle, * and on St. Barnabas' day, and the other fair to be holden for two days before the Feast of the Nativity of the Blessed Mary, and on the day of the same Nativity; † unless the same market and fairs be to the prejudice or damage of other neighbouring markets and fairs there: also, we have granted and given licence for us and our same heirs, as much as in us lies to the same Stephen, that he and his heirs for ever, have free-warren ‡ in all their demesne lands in the Villis of Masseham, Bellerby, Gareheston, Hunton, Silton, Thirne, Aglethorpe, Upsale, Thornburgh, and Kilvington in the County of York, Muskham in the County of Nottingham, Fifhide, Willynghale, Doo and Wil-

* This Fair has long ceased to be holden.—See foot note *ante* p. 50.

† This is the same Fair which was granted to Sir John de Wauton A.D. 1250, and confirmed to Sir Geoffrey le Scrope A.D. 1327, except it will be seen that it is granted for three days, the same as in the first mentioned Charter, and the time of holding it is altered from the Assumption to the Nativity of the Blessed Virgin Mary—being twenty four days later. The days for the holding of the Fair under this Charter, are the 6th, 7th, and 8th days of September, instead of the 13th, 14th, and 15th days of August as in the previous Charter—with this difference it is substantially as to this Fair at least, a mere confirmation of the former grants to John de Wauton and Sir Geoffrey le Scrope, and like them it gives no Toll. My observations, therefore, *ante*, as regards the Toll apply equally to this Charter.

‡ See my observations *ante*, as to the necessity for Sir Stephen le Scrope's applying for another Grant of Free-warren, by reason of his having in the meantime acquired additional estates to which the former Grant of Free-warren would not extend.

lynghale, Spaigne, in the County of Essex, and Paulynscray, in the County of Kent. Provided, nevertheless, the same lands be not within the metes of our forest, so that no one enter the same lands, to hunt in the same or take anything which to warren appertains, without the licence and will of the same Stephen, or his heirs, upon forfeiture to us of Ten Pounds. Wherefore we will and firmly order, for us and our same heirs, that the aforesaid Stephen, and his heirs aforesaid, for ever, have one market every week on Wednesday, at their manor of Masseham, and two fairs there to be holden for six days every year, that is to say,—one fair to be holden for two days before the Feast of St. Barnabas the Apostle, and on St. Barnabas' day; and the other fair to be holden for two days before the Feast of the Nativity of the Blessed Mary, and on the day of the same Nativity; unless the aforesaid market and fairs be to the prejudice or damage of other neighbouring markets and fairs there: and also, that the same Stephen and his heirs aforesaid, for ever, have free warren in all their demesne lands in the aforesaid vills of Masseham, Bellerby, Gareheston, Hunton, Siltun, Thirne, Aglethorpe, Upsale, Thornburgh, and Killington in the County of York, Muskham in the County of Nottingham, Tifhide, Willynghale, Doo, and Willynghale, Spaigne, in the County of Essex, and Paulynscray in the County of Kent; provided the same lands be not within the metes of our forest; so that no one enter the same lands to hunt in them, or take anything that to warren appertains, without the licence and will of the same Stephen, and his heirs aforesaid, upon forfeiture to us of Ten Pounds as is aforesaid. These being witnesses—the Venerable Fathers, William, Archbishop of Canterbury, Primate of all England, Thomas, Archbishop of York, Primate of England, our Chancellor, William, Bishop of Winchester, John, Bishop of Salisbury, our Treasurer, John, Duke of Aquitaine and Lancaster, Edmund, Duke of York, Thomas, Duke of Gloucester, our dearest uncles, our dearest brother John de Holand, our Chamberlain, and William, Earl of Salisbury, Thomas de Percy, Steward of our household, and Edmund de Stafford, keeper of our Privy Seal, and others.

Given under our hand at Westminster the Seventh day of May, in the Sixteenth year of our reign.

By Writ of Privy Seal.

GANDEBY.

No. 4.

Charter granted by Charles I., to Thomas Danby, Esq., dated the 26th Nov. 8 Charles I., A.D. 1632, of Fortnight Fairs in Masham, as taken from the Patent Rolls 8 Charles I., p 7, m 3.

[TRANSLATION.]

Charles, by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. To all to whom the present letters shall come greeting. Whereas our beloved and faithful subject Thomas Danby, Esq., hath most humbly prayed us that we, for the improvement of the town of

Massam otherwise Masseham in our County of York, being the hereditament of the aforesaid Thomas as it is said, and for the common advantage and benefit of the inhabitants there, would deign to grant to the aforesaid Thomas Danby, and his heirs, one fair or feast on Wednesday in every second week, from the 8th day of May, unto the Feast of St. Michael the Archangel—yearly—to be holden at their Town of Massam, otherwise Masseham aforesaid, for the buying and selling of all manner of cattle with the appurtenances, together with power and authority, that he and his heirs might have and receive such and such sort of reasonable tolls for corn and cattle, as well in the same fair as in other fairs* and markets holden and to be holden in the town aforesaid, as and which are usually paid in others fairs and markets near adjoining. And whereas we thereupon willing to be certified, if the said fair or feast, and tolls might be granted to the same Thomas Danby and his heirs, without loss or prejudice to us, or otherwise to any one whomsoever, by our writ of *ad quod damnum* lately issuing from our Chancery, directed to the Sheriff of our County of York aforesaid, did command the same Sheriff, that by the oath of good and lawful men of the County aforesaid, by whom the truth of the matter might be the better known, he should diligently enquire if it would be to the loss or prejudice of us or others, if we should grant to the aforesaid Thomas Danby and his heirs, that he and his heirs for ever should have and hold a fair for all manner of cattle with the appurtenances, on Wednesday in any second week from the 8th day of May, unto the Feast of St. Michael the Archangel—yearly—at their town of Masseham in the aforesaid County of York, and that the same Thomas and his heirs, for ever, might take and have in the same fair, and in other their fairs and markets, to be had and holden at their manor of Masseham aforesaid, by the same Thomas and his heirs, for corn and cattle to be sold in the same, such sort of and such tolls, as and which from time whereof the memory of man is not to the contrary, have been paid in the fairs and markets had and holden in the towns of Richmond, Middleham, Bedall, and North Allerton or either of them; and that he should likewise enquire what sort of and what tolls had from the aforesaid time, whereof the memory of man is not to the contrary, been paid in the aforesaid towns of Richmond, Middleham, Bedall, and North Allerton, or either of them; and if the fairs and markets had and holden in the aforesaid towns of Richmond, Middleham, Bedall, and North Allerton, were the nearest fairs and markets to Masseham aforesaid. And if it would be to the loss or prejudice of us or of others, if we should grant to the aforesaid Thomas Danby, that he and his heirs for ever, have, and hold the aforesaid fair for all manner of cattle at their town of Masseham afore-

* It will be seen here that Thomas Danby prays that Tolls may be granted to him, not only for these Fortnight Fairs, but also for "other Fairs and Markets holden and to be holden in the town." It is, however, one thing to pray for a thing, and another thing to have such prayer granted; and it will be seen hereafter, when we come to the Granting part of this Charter, and especially the clause granting the Tolls, that this Charter only grants to him Tolls for these Fortnight Fairs, and makes no mention whatever of the other Fairs and Markets. Had, indeed, the clause granting the Tolls even gone so far as to grant Tolls for the other Fairs, it would have been simply inoperative for the reasons mentioned *ante* page 51 and 52. See also note *post*.

said, and that the same Thomas Danby and his heirs for ever, should take and have the tolls aforesaid, in their aforesaid other fairs and markets, at their aforesaid manor of Masseham aforesaid, to be had and holden by the same Thomas and his heirs, for corn and cattle to be sold in the same, then unto what loss and what prejudice of us, or of others, and of whom, and how, and in what manner; and an Inquisition thereupon, distinctly and openly made, he should without delay, send to us in our Chancery under his seal, and the seals of those by whom it should be made, and the same writ; and whereas by a certain Inquisition indented, taken at Thirske in the County aforesaid, the 11th day of April, in the 8th year of our reign, before Sir Thomas Laton, Knight, Sheriff of the County aforesaid, by virtue of our said writ to the same Sheriff directed, by the oath of good and lawful men of the County aforesaid, it was found that it would not be to the loss or prejudice of us, or of others, if we should grant to the aforesaid Thomas Danby and his heirs, that he and his heirs have, and hold a fair for all manner of cattle with the appurtenances, on Wednesday, in every second week from the 8th day of May, unto the Feast of St. Michael the Archangel—yearly—at their town of Masham in the aforesaid County of York; and that the same Thomas Danby and his heirs, for ever take and have in the same fair, and in other their fairs and markets to be had and holden at their manor of Massam aforesaid, by the same Thomas Danby and his heirs, for corn and cattle to be sold in the same, such sort of, and such tolls as and which from time whereof the memory of man is not to the contrary, have been paid in the fairs and markets had and holden in the towns of Richmond, Middleham, Bedale, and North Allerton, or either of them; and whereas by the aforesaid Inquisition, it was further found in the fairs and markets had, and holden in the town of Richmond aforesaid, from time whereof the memory of man is not to the contrary, there had been paid such sort of, and such tolls—that is to say,—for every bull, cow, ox, steer, or heifer, sold in any fair or market of the same, one penny; for every horse, mare, or gelding, sold in the same, one penny; for every horse, colt, there sold, one penny; and for every 5 sheep there sold, one penny; and for every 5 lambs there sold, one penny; and for every hog there sold, two pence; and for every pig, sow, or other pig there sold, two pence; to be paid equally between the seller and the buyer: and for every bushel of corn there sold, half a pint; and for every horse load of corn there sold, and carried out of the market aforesaid, half a penny: and that the aforesaid fair and market had and holden in the aforesaid town of Richmond, and the fairs and markets of Middleham, Bedall, and North Allerton, in the writ aforesaid likewise specified, are the nearest fairs and markets to the aforesaid fair, and market of Massam aforesaid, as by the writ and Inquisition aforesaid, returned by the Sheriff aforesaid into our Chancery, and there remaining of Record, is more fully manifest and appears. Know ye, therefore, that we graciously consenting to the petition of our aforesaid subject, Thomas Danby, of our special grace, and of our certain knowledge and mere motion, have given and granted and by these presents, for us, our heirs and successors, do give, and grant to the aforesaid Thomas Danby, his heirs and assigns, that he, the aforesaid Thomas Danby,

his heirs and assigns, henceforth for ever, have, hold, and keep within the town of Massam, otherwise Masseham aforesaid, the liberty or precinct of the same—yearly and every year for ever—one fair or feast, for all manner of cattle, with the appurtenances, on Wednesday, in every second week, from the 8th day of May, unto the Feast of St. Michael the Archangel, yearly, to continue and last for all those days, together with a Court of *piepoudre*, there to be holden at the time of the said fair over and beside the other fairs and markets of the same Thomas Danby, lawfully had and holden, or to be had and holden, within his town of Masham, otherwise Masseham aforesaid, before the making of these our letters patent: and, moreover, if our more abundant special grace, and of our certain knowledge and mere motion, for us our heirs, and successors, we do grant to the aforesaid Thomas Danby, his heirs and assigns, that he, his heirs and assigns, for ever, have and take, for the corn and cattle to be sold in the same fairs, feasts, and markets in the same town of Masham, otherwise Masseham, such sort of and such tolls * as, and which have been paid in the fairs and markets of Richmond aforesaid, had and holden from time whereof the memory of man is not to the contrary, that is to say,—for every bull, cow, ox, steer or heifer, sold in any of the same fairs or markets of Massam, otherwise Masseham aforesaid—one penny; for every horse, mare, or gelding, sold in the same, one penny; for every horse, colt, sold there, one penny; and for every 5 sheep sold there, one penny; and for every five lambs there sold, one penny; and for every hog there sold, two pence; and for every pig, sow, or other pig there sold, two pence; payable equally between the seller and the buyer; and for every bushell of corn there sold, half-a-pint; and for every horse-load of corn there sold and carried out of the market aforesaid half-a-penny: † and with all liberties, free customs, tolls, stallage, picage, fines, amerciements, and all other profits, commodities, advantages, and emoluments whatsoever, to the aforesaid markets, fairs, or feasts and Court of *piepoudre* appertaining, belonging, arising, happening, or contingent: wherefore, we will, and by these presents for us, our heirs and successors,

* This is the granting clause of this Charter, and it will be seen that it only grants Tolls “for the corn and cattle to be sold in the same Fairs, Feasts, and Markets in the same town of Massam,” now these words *same Fairs, &c.*, mean the Fortnight Fairs only, for they are the only Fairs which have been mentioned before—that is—in the clause immediately preceding it which grants these Fairs; or in other words the Fortnight Fairs being the last antecedent, they are the Fairs referred to as the *same Fairs*. Had, however, the Grant of Tolls even extended to the other Fairs, it would have been inoperative as stated *ante* pages 51 and 52.

† Even supposing that these Tolls are now payable at the September Fairs (which I dispute for the reason mentioned *ante* pages 51 and 52) these are not the Tolls which are now demanded and received by the Lessee of the Tolls at these Fairs. The Lessee now charges just double the amount of the Tolls here specified, viz:—two pence for every bull, cow, ox, steer or heifer; and for every five sheep, or lambs, two pence, or eight pence per score. This Charter, therefore, cannot be the Charter under which the present scale of Tolls is now demanded, and if this is not the Charter, then let me ask under what other Charter can such a demand be justified? For none of the other Charters grant any such scale of Tolls, or indeed any tolls whatever, and we have already seen that if no Tolls are granted by the Charter which grants the Fairs or Market, no Tolls are demandable, but that the Fair or Market so granted, is a free Fair and a free Market. This is unquestionably the case as to the Fairs and Markets held at Masham.

firmly order and command, that the aforesaid Thomas Danby, his heirs and assigns, henceforth and for ever, have, hold, and keep, and may, and shall be able to have, hold, and keep within the town of Massam, otherwise Masseham aforesaid, the liberty or precinct of the same, yearly and every year, for ever, the aforesaid fair or feast, for all manner of cattle with the appurtenances, on Wednesday in every second week, from the 8th day of May, until the feast of St. Michael the Archangel yearly, to last for all those days together with a Court of *piepoudre* there to be holden at the time of the said fair, over and beside other fairs and markets heretofore, as is aforesaid lawfully had and holden within the town of Massam, otherwise Masseham aforesaid, and with all the liberties, free customs, tolls, stallage, * piccage, † fines amerceaments, and all other profits, commodities, advantages, and emoluments whatsoever, appertaining, belonging, arising, happening, or contingent, as as well to the fair and Court of *piepoudre*, by these presents before granted as to the aforesaid other fairs and markets and every or either of them; and this without any rent, account, or any other thing, therefore to us our heirs or successors, to be rendered, paid, or done; and also without any molestation, disturbance, grievance, or contradiction of us, or any of the officers or ministers whomsoever, of us our heirs or successors: so nevertheless, that the aforesaid fair be not to the nuisance of other neighbouring fairs whatsoever; also, we will and by these presents, for us, our heirs, and successors, do grant to the aforesaid Thomas Danby, his heirs and assigns, that this our present Charter on the enrolment of the same, be in all things, and by all things, firm, valid, sufficient and effectual in the law, and shall be understood, adjudged, and determined in all our Courts, as well and favourably as it can be known and understood on the behalf of the aforesaid Thomas Danby, his heirs and assigns, towards and against us, our heirs and successors, notwithstanding the not reciting, or mis-reciting of our aforesaid writ *ad quod damnum*, and the Inquisition thereupon taken, or any defect, or defects in the execution or return of the said writ and Inquisition, or either of them: also, we will, and by these presents grant to the aforesaid Thomas Danby, that he may have, and shall have these our letters patent in due manner, made and sealed under our great seal of England, without fine or fee, great or small, to us in our Hanaper or elsewhere, to our use, therefore in anywise howsoever to be rendered, paid, or done, altho' express mention be not made in these presents, of the true yearly value or certainty of the premises or either of them, or of other gifts or grants heretofore made by us, or by either of our progenitors or predecessors, to the aforesaid Thomas Danby, Esq., or any Statute Act, ordinance, provision, proclamation, or restriction to the contrary thereof, heretofore had, made, passed, ordained, or provided, or any other thing, cause, or matter whatsoever, in anywise notwithstanding. In testimony whereof, we have caused these our letters to be

* Stallage is the liberty or right of pitching or erecting Stalls in Fairs or Markets, or the money paid for the same.—*Kennel's Gloss.*

† Piccage is a consideration paid for the breaking up of ground to set up booths, stalls or standings in Fairs; payable to the Lord of the soil. See *Jacob's Law Dict., Art. Piccage.*

made patent.—Witness, ourself at Westminster, the 26th day of November, in the 8th year of our reign.

By Writ of Privy Seal.

WOLESLEY.

No. 5.

*Pleas of Juries and Assizes and of Quo Warranto, before John de Vale, and his Companions, Justices Itinerant in the County of York, in the 7th, 8th, and 9th years of the reign of King Edward, on John de Wauton being summoned to shew by what warrant or authority he claimed to have warren at Masseham, Elington, Elingstring, Helagh, Fereby, and Sutton, &c. * Dated 8 Edw. I., A.D. 1280.*

[TRANSLATION.]

And John cometh and saith that Elingstring, Elington, Helagh, Fereby, and Sutton, are hamlets and members of Masseham; and that the Lord King Henry, father of the Lord now King, granted him free warren in all his demesne lands in his manor, by a Charter of which he makes profert. And Alan de Walkingham who sueth for the King, saith that in the aforesaid hamlets there are certain free tenants, in whose lands the aforesaid John hath warren as in his own demesne lands, and he prayeth that this be enquired of; and John doth the like. Afterwards it was found by William de Holteby and his companions, jurors, that the aforesaid John hath used his warren in Masham, but they say that he of his own act hath appropriated the lands of the Abbot of Fountains, Reginald de Clifton, John de Rycher, Simon de Sutton, and certain others unto the same use; therefore he is in mercy, and he hath judgment as to warren, &c., † —Roll 1 dorse.

No. 6.

Judgment Roll in the case of the Attorney General v. Sir Christopher Danby, Knt., being proceedings in Quo Warranto, to try the right to the Chase or Forest and Free-warren in Mashamshire. Date 5 Edw. VI., A.D. 1551.

[TRANSLATION.]

Among the Records deposited in the Public Record Office, London, to wit—King's Bench—Judgment Roll—Michaelmas Term 5th, Edw. 6th, it is thus contained:—Pleas before the Lord the King at Westminster, in the term of St. Michael, in the 5th year of the reign of Edward the 6th, by the

* A Writ of *Quo Warranto*, is a writ which lies against any person that usurps any franchise or liberty against the King, without good title; and is brought against the usurpers to shew by what right and title they hold or claim such franchise or liberty.

† The purport of this decision is, that John de Wauton was entitled to Free-warren in his demesne lands, but that he had encroached upon the lands of the Abbot of Fountains, Reginald de Clifton, John de Rycher, Simon de Sutton, and certain others, which were not of his demesne lands, and therefore judgment was given against him as to those lands, and in his favour as to his right to the Free-warren.

grace of God, of England, France, and Ireland, King, Defender of the Faith, and on earth of the Church of England and Ireland, Supreme Head.

Witness—R. Lyster.

Mynne—Roll 1st.—Pory.

York to Wit.—Roll 8. As yet of the term of St. Michael (King's [Roll]).—Be it remembered, that Henry Bradshaw, Esq., Attorney General of the Lord the King, who now sues for the same Lord the King proffered here in Court, a certain information against Sir Christopher Danby, Knight, which follows in these words:—York to wit.—Be it remembered that on Tuesday next after the quinzime of St. Michael, in the 3rd year of the reign of Edward 6th, by the grace of God of England, France, and Ireland, King, Defender of the Faith, and on earth of the Church of England and Ireland, Supreme Head, before the Lord the King at Westminster, comes Henry Bradshaw, Esq., Attorney General of the Lord the King, who now sues for the same Lord the King in his own person, and gives the Court of the said Lord the King here to understand, and be informed that Sir Christopher Danby, Knight, by the space of half-a-year now last past, and more hath used and still useth, to have one chace or forest, with wild animals, and free-warren at Mashamshire, in the County of York, to the derogation thereupon of the said Lord the now King, and the great prejudice and contempt of the same Lord the King; whereupon the same attorney of the said Lord the King, for the same Lord the King prayeth advice of the Court in the premises, and that the aforesaid Sir Christopher Danby, Knt., be warned to answer the said Lord the King, by what warrant he claims to have the chace, forest, and free warren aforesaid, &c.,—whereby the Sheriff is ordered that he omit not, &c.,—that he cause him to come and answer, &c.,—and now to wit, on Friday next after the quinzime of St. Michael in this same term before the Lord the King at Westminster, comes the aforesaid Sir Christopher Danby, Knight, by James Wolriche, his attorney, and hath audience of the premises; and as touching free-warren * at Mashamshire aforesaid, the same Sir Christopher Danby, Knight, saith that the Lord Richard the 2nd, late King of England, progenitor of the said Lord the now King, by his letters patent of which the same Christopher Danby here makes proffert in Court—the date whereof is at Westminster, the 7th day of May in the 16th year of his reign; amongst other things—granted and gave license, as far as in the same late Lord the King was to his beloved and faithful Sir Stephen le Scrop, Knight, by the name of Stephen le Scrop, chevalier, an ancestor of the said Christopher Danby, whose heir he is—that is to say, the son of Margery, the daughter of John, the son of John, the son of the said Stephen, that the same Stephen, and his heirs for ever, should amongst other things have free-warren in all the demesne lands of the same Stephen, in the Vills of Masham, Bellerby, Garreston, Hunton, Sylton, Thirne, Aglethorpe, Upsall, Thornbargh, and Kyl-

* It will be seen here that Sir Christopher Danby justifies his right to the Free-warren only under the Charter of King Richard II., to Sir Stephen le Scrope, and not that of the Chase which he afterwards justifies by another plea claiming it by prescription.

lington, in the said County of York, Muskam, in the County of Nottingham, Fyfhed, Wyllynghall, Doo, and Wyllynghall, Spaigne, in the County of Essex, and Pawlyngscray, in the County of Kent. Provided, nevertheless, the same lands were not within the metes of the forest of the said late Lord the King, so that none should enter the same lands to hunt in them, nor take anything which to warren appertains, without the licence and will of the same Stephen, or his heirs, under pain of forfeiting to the said Lord the King £10, as by the aforesaid letters patent more fully appears; and further the same Sir Christopher Danby, Knight, saith that the aforesaid townships of Mashamshire, in the said information specified, and the township of Masham, in the aforesaid letters patent [named], are one and the same vill and not others, nor different; and that the aforesaid township is known and from time whereof the memory of man is not to the contrary, was known as well by the name of Massamshire as by the name of Massam; and by that warrant the same Sir Christopher Danby, Knight, claims the free warren aforesaid, and hath used and still useth, to have the free-warren aforesaid, of and in his demesne lands, which the demesne lands of the said Stephen, in the aforesaid townships of Massamshire, in the aforesaid information specified as was lawful to him, that is to say, in 3000 acres of land, 4000 acres of pasture, 2000 acres of meadow, 2000 acres of wood, 12000 acres of furze and heath in the aforesaid Vills; in the aforesaid information specified, which at the time of the aforesaid grant, were the demesne lands of the said Stephen le Scrop, of Massam and Massamshire, which after the death of the aforesaid Stephen le Scrop (as is aforesaid) descended to the aforesaid Christopher Danby, as cousin and heir of the same Stephen, that is to say, the son of Margery, the daughter of John, the son of John, the son and heir of the said Stephen, by virtue whereof the same Christopher was seized of the premises in his demesne as of fee; and the same Christopher Danby saith that the aforesaid demesne lands at the time of the grant aforesaid were not within the metes of any forest of the same late King Richard the 2nd, which, &c. And moreover, the same Sir Christopher Danby, Knight, saith that he and his ancestors, whose heir he is, from time whereof the memory of man is not to the contrary have used, and the same Christopher still useth, to have and enjoy to him, and his heirs one chace * with stags, deer, and other wild animals of the woods in and at Mashamshire aforesaid, in the County aforesaid, called Massam forest, in 6000 acres of land, 4000 acres of pasture, 3000 acres of meadow, 4000 acres of wood, 12000 acres of furze and heath in Massamshire aforesaid, with all things which to chase appertain, by the boundaries underwritten, to wit—from Yore (so named) into Synderhowe, so that Nute-wid may remain in common between the townships of Malsert (now [known] by the name of Kirkby Malserd) and Masham, and from Synderhowe, unto the hill which is nearest to the south of Roger Cross, now called New Cross, as the water descends thence towards Massam, and so unto the hill above Pilesden, and then from thence by the Edge of the hill unto Froseldeshow,

* It will be seen that it is only claimed as a *Chace*, and not as a *Forest*.—See observations thereon *ante* p. 47.

(now called by the name of Throstyllhow), and from Frostildeshow by the edge of the hill unto the boundaries of Robert Fitz Ralph (now called Coverdale) and thence unto the boundaries of Witton; and these are the metes of the boundaries of Witton and Massamshire, to wit—where Eswathe is on the west of Whitebethe, [Whitebeck] as it floweth into Yore, and from Eswathe unto Kylgrymhs (now called Kylgrymhowe Grange), and thence unto Delather (now called Charekeld), and from Delather unto Blapott (now called Claypit), and thence unto Selykeld (now called the well in Newsted pasture) and thence unto Holgill (now called Lambertgill) on the west side as Matheresgaytt (now called Marketgait), ascends between the two Holligilles (now called Lambertgill and Leygill), and thence unto Kempestaines (now called Castle Hills), and afterwards as the waters collect together some whereof tend to the North towards Witton, and some to the South towards Massamshire, and as the waters divide on the North-side from Caderland (now called Caldburghe), and from Burnelneshage (now called Ellershall), unto the boundaries of Coverdale, and unto Nedesshawe (now called Myers) unto the boundaries of Ralph Fitz Ribald (now called Middleham), and by this warrant the same Sir Christopher Danby, Knight, hath used and still useth a chase there, in the aforesaid 6000 acres of land, 4000 acres of pasture, 3000 acres of meadow, 4000 acres of wood, 12000 acres of furze and heath, with stags, deer, and other wild animals, and all things which to chase appertain, as it was lawful to him; all and singular which things the same Christopher is ready to verify, as the Court, &c. Whereupon, he conceiveth not that the Lord the now King will further impeach or hinder the same Christopher Danby, by occasion of the matters aforesaid or any of them, &c. And he prays judgement; and that the same free-warren and chase aforesaid may be allowed and adjudged to him, &c. And that he concerning the premises be dismissed this Court, &c. Whereupon, the plea of the aforesaid Christopher above pleaded in form aforesaid, and by Henry Bradshaw, Esq., Attorney-General of the said Lord the King, who sues for the same Lord the King in this behalf understood, and by the same Henry diligently examined with the aforesaid letters patent made and granted as is aforesaid, to the aforesaid Stephen Scrop and his heirs, in form aforesaid, and to the Court here shown; and, moreover, because, that [by] certain Court Rolls of the said Christopher and his ancestors holden within the manors aforesaid to the Court of the Lord the King here shewn, and also by the relation of divers trustworthy witnesses in the same Court here present, it manifestly appeareth, that certain of the ancestors of the aforesaid Christopher and now the same Christopher, by reason of the prescription* aforesaid, and also by virtue and force of the grant to the aforesaid Stephen and his heirs, have used and enjoyed all and singular the liberties in the aforesaid forest or chase in Massamshire aforesaid. Therefore, the same Henry Bradshaw for the said Lord the King, confesseth the plea of the aforesaid Christopher pleaded in

* Thus it will be seen that whilst Sir Christopher Danby succeeding in establishing his claim to Free-warren by force of the Grant thereof made to Sir Stephen le Scrope by King Richard II., he established his right to the Free Chase or Forest by a much higher title, viz:—by prescription.

form aforesaid, to be true, whereupon all and singular the premises being seen and by the Court here understood, the Serjeants-at-law of the Lord the King, and the Attorney of the same King being hereunto convoked and present, it is considered that the aforesaid Christopher Danby may enjoy and use the aforesaid forest or chase aforesaid, with all the liberties and free customs aforesaid, &c. And that all and singular the letters patent aforesaid, together with the liberties aforesaid, be allowed to the aforesaid Christopher Danby and his heirs in his behalf, &c. And that the same Christopher concerning the premises go thereof without day, &c.—Saving always the right of the King, if any, &c.

APPENDIX.

C.

DOCUMENTS RELATING TO THE CHURCH OF MASHAM.

No. 1.

Grant from Roger de Mowbray to the Canons of Newburgh of the Church of Masham, as copied from the Harleian MSS., 793, in the British Museum. [Date between A.D. 1147, and A.D. 1153.]

[TRANSLATION].

To the Reverend Father and Lord Henry, by the grace of God, Archbishop of York, Roger de Mowbray greeting. I give y'r discretion to understand that I, for the health of my soule, all my ancestors and heirs have given, and by this charter confirmed, to God and to the Church of Saint Mary of Newburg, newly founded in my fee, and the Canons there living regularly, for ever, in free, &c., whatsoever right I had in the Churches of Massam, and Malseard [Kirkby Malzeard], and Landeford; and whatever a layman can, in Churches conferre, to any religious college, that I have conferred the same upon them for ever, in the same Churches—and because your great care, who earnestly endeavour to plant sacred religion, and to cherish it when planted, is known to all men, therefore I humbly pray y'r clemency, that for the love of God ye would lend your assent to this my gift, and by the authority of your writeing confirme for ever, the mentioned Churches to the Canons aforesaid.

Please y'r benignity to take notice that I made this gift to them with the will, and at the request of Sampson de Albinij, my kinsman, who holds the foresayd Churches.—These being witnesses, Robert Chaplayne, &c.

No. 2.

Extract from a Deed between Sampson de Albinij, and the Prior of Newburgh, preserved at St. Mary's, York, and set out in Dugdale's Monasticon (new edition), Vol. iii., part 1, page 319.

[TRANSLATION].

Sampson de Albinij after releasing to the Abbey all his interest in the Church of Masham, and other Churches, stipulates as follows:—"that he [Sampson de Albinij] shall hold the Church of Malseart [Kirkby Malzeard]

of the Prior, and Richard of him, as, &c. ; and after the decease, or change of life of Richard, his brother Uchtred shall hold it in like manner, and Richard shall have the boy Roger in his keeping, with the Church of Massam ; and out of the same Church shall provide the boy with necessaries by the counsel and consideration of the Prior."

No. 3.

Deed of Roger de Mowbray touching the Church of Masham made prebendal.

[Date between A.D. 1154, and A.D. 1181.]

[TRANSLATION].

Roger de Molbrai to all the sons of Holy Mother Church, to whom these letters shall come, Greeting and love. Be it known unto you all, that I have granted as a Prebend so far as appertains to a layman, and that Roger the Archbishop, hath granted and confirmed to the Church of the Blessed Peter of York, the Church of Masham, and the Church of Kirkebi Malsard, and the Church of Halsay, and the Church of Hanston, and the Church of Landeford, and the Church of Hesmit, with all their appurtenances, in perpetual alms, free and quit from all demand and custom.—Witness, Roger the Archbishop, and the Chapter of York, and Ralph Beler, and Oliver de Buci, and Roger de Flamanville, and Walter de Charlton.

No. 4.

Another Deed of the same Roger de Mowbray, touching the Church of Masham. [Date between A.D. 1154, and A.D. 1181.]

[TRANSLATION].

Roger de Molbrai, to Roger Archbishop of York, and Robert the Dean, and Chapter of York, and all his men, French and English, greeting, Know ye, that I have given and granted to God, and St. Peter of York, and Roger, the Archbishop, and his successors for ever, for the souls of my father and my mother and my ancestors, and the salvation of me and my sons, the Church of Masham, and the Church of Malseart [Kirkby Malzeard] and the Church of Landeford, in pure and perpetual alms, so that they may be from henceforth a Prebend in the Church of St. Peter, York—my sons Nigel, my heir, and Robert [thereto] covenanting. These being witnesses—Ralph de Belveer, Robert de Buci, Thomas de Colville, Richard de Wideville, Roger de Ardan, Sampson Cornwall, Robert, the Chaplain, John, the Archdeacon, Master Mamard, Alan, Canons of York.

No. 5.

Deed of Walter Buheret, touching the same Church of Masham.

[TRANSLATION].

Know all men who shall see or hear these letters, that I, Walter Buheret,

have given and granted, and with my own hand offered, Masham with all things which to the same appertain, in pure and perpetual alms, to hold to God, and the Blessed Peter, and the Canons there serving God, to Roger [to wit] de Albeni, who now holdeth the same as a Prebend, and his successors; and this, by my present deed, I affirm myself to have made before Robert the Dean, and the Chapter of York, and many others; Thurstin Fitz Malgre, Robert Beler, Everlard de St. Anian, Robert de Bellum, and others—clerks and laymen.*

No. 6.

Deed of the Archbishop of York, touching the Prebendal Church of Masham.
[Dated between A.D. 1191, and A.D. 1193.]

[TRANSLATION].

Geoffrey, by the grace of God, Archbishop of York and Primate of England, to all who shall see or hear this deed, greeting. Be it known unto you all, that we, in our Chapter of York, with the common assent and counsel of our brethren, have freed and exempted the Churches of the Prebend of Roger de Albeni, to wit—the Church of Massham, and the Church of Kirkeby Malezeard, and the Church of Landeford, from all the customs and claims of our Archdeacons and officials; wherefore, I will and grant, and by this my present deed confirm, that the same churches be as free for ever as other the churches of any Prebends in the Church of York, and that the same Prebend composed of the same churches, be henceforth as free and quit as any the freest Prebend in the Church of York. These being witnesses—H. the Precentor, Master Simon de Apulia, Ralph, Archdeacon of York, Geoffrey, Archdeacon of Cleveland, William, Archdeacon of Nottingham, William, Archdeacon of Richmond, Robert Reeve, of Beverley, Stephen [and] Hugh Murdae, William de Bayeux, Adam de Thornore, Richard Gernegen, Reginald Arundel, William de Malmarsch, William de Steind, Canons of York; Master William de St. Quintin, Ralph de Hampton, Philip, John, and William de Cane, Canons of the Chapel, Henry, clerk of Collum.

No. 7.

Consent of the Archdeacon of Richmond, touching the same. [Date between A.D. 1189, and A.D. 1193.]

[TRANSLATION].

To all the sons of Holy Mother Church who shall see or hear these letters, William de Sunelli, Archdeacon of Richmond, greeting. Be it known un-

* This Grant of Walter de Buhere, was merely a confirmation of a prior grant made by his predecessor in the estate (Roger de Mowbray) to the Church at York.

to you all, that I, of my mere will, have absolved and for the advantage and honor of our Church of York, by the common counsel and authority of the whole Chapter of York, have exempted from all service and claim appertaining to the Archdeaconry of Richmond, those churches that appertain to the Prebend of Masham, which are within the Archdeaconry of Richmond, of the endowment of Roger de Mowbray, that is to say, the Churches of Masham and Kirkeby [Kirkby Malseard], with all their appurtenances; wherefore, I will, and by my present deed unalterably confirm, that the aforesaid churches thus remain free and quit from me and my successors, for ever, as well from household [visitations] as from Capitular [charges] and aids, and synodals, and all other claims, as any the freest Prebend in the Church of St. Peter, of York. These being witness—Henry, the Dean, Ralph, the Archdeacon, Master Simon, the Chancellor, Geoffrey, Archdeacon of Cleveland, Robert Reeve, of Beverley, Stephen [and] Hugh Murdac, Adam de Tornoure, Nicholas, son of Hugh, Reginald Arundel, John Norwick, Peter de Dinant, William de Malmarsch, Thomas Fitz Paulin, Canons of York, Master Miles de Beverley, Peter de Ros, William Fitz Aldan, Alexander the Succenter, Alan de St. Wilfrid, William de Budthum, Arundel the Priest, John Fitz Geoffrey, and many others.

No. 8.

Ordination of the Vicarage of Masham. [Dated 5th April, 1278.]

[TRANSLATION].

To all the faithful in Christ who shall see or hear this writing [William de Langton] the Dean and the Chapter of the Blessed Peter of York, greeting in the Lord everlasting. Know ye, that we by the will and assent of Sir Bogo de Clare, Canon of the same Prebend, and our colleague, do and have rated the Vicarage in the Churches of Masham, and of Kirkeby Malsard in the prebend of Masham, and other chapels adjoining, in this form, that is to say, that the Vicar of the aforesaid Churches, and his successors for ever, have the whole altarage of the aforesaid churches, the wool and lambs of both parishes altogether excepted; and except the tithe hay of the parish of Masham only, but the hay of the parish of Kirkeby shall remain to the said Vicar; and except mortuaries of live beasts of both parishes, which together with all tithes of sheaves of both parishes, and with the land wherefrom the aforesaid churches are endowed, and with the capital messuage of Massam, shall remain for ever to the aforesaid Canon and his successors. Nevertheless, the Vicar and his successors, shall have that close of Kirkby Malsard, wherein the priests have been accustomed to dwell, and all the remainder of the alterage and profits of the churches aforesaid, the Vicar shall have in the name of his Vicarage, with the tithe money, oblations, obventions, and all other tithes in anywise, howsoever, accruing to the said Vicarage, and he shall make personal residence in the same Vicarage, and per-

sonally serve the Vicarage, and have with him in the same, three priests at his own cost, and the aforesaid Vicar shall support all the charges which devolve upon the Vicarage. So, nevertheless, that the Canon for this turn shall supply the deficiency of the aforesaid churches in sufficient books, and ornaments; and to the same Canon and his successors, shall for ever pertain, the roofing of the chancel. Also, we reserve to ourselves power of increasing or diminishing the said Vicarage so often as it may seem to us expedient. In testimony whereof, we have caused our common seal to be affixed to the present writing. Given in our Chapter of York, the Nones[5th] of April, in the year of our Lord 1278.

No. 9.

Pope Nicholas' Taxation, taken 19 Edw. I., A.D. 1291.

The Prebend of Masham is rated as worth £166 13s. 4d.

No. 10.

Extract from the Nonæ Rolls (being an assessment of the ninth Sheaf, Fleece, and Lamb, to be levied on all Lands whether belonging to the monastic and religious bodies, or laymen in every Parish.) Taken 15 Edw. III., A.D. 1340.

[TRANSLATION].

Masham, 250 marks [£166 13s. 4d.] The same [assessors] answer of £60 for the ninth of the same Parish committed to John Bucktroute, Thomas Forrester, Robert del Bergh, John Frankys, Edward de Stanley, and William de Ilketon; whereof 60s. is for the portion of the Abbey of Fountains, there for the temporalities, &c. And so less than the tax [of the Church in the taxation of Pope Nicholas] because 30 carucates of land lie uncultivated, which, if they were cultivated, the ninth would not be worth £20, and where the Rector was accustomed to receive three sacks of wool worth £15, he doth not receive one sack worth £5, as appeareth by the oath of the men aforesaid.—Sum £60.

No. 11.

Extracts from the "Fabric Rolls at York Minster," published by the Surtees Society.

[TRANSLATION].

Certain matters discovered in the visitations of the Cathedral Church of York, and also of the Churches to the same appertaining, within the province of York.—[Date about A.D. 1414].

MASHAM.—Master William Clynt, vicar, is at the General Council of Constance. The Commissary hath inspected the Choir and Chancel, and they were found sound, and becoming complete, windows of the Choir being

in process of building by the Lord Prebendary at his own proper costs. Sir John Wath, chaplain of Masham, both in the church thereof, and elsewhere, misconducts himself among the parishioners, and frequently haunts common taverns, and at least, for two or three days in the week, is intoxicated, and challenges the parishioners to fight with him. The parochial chaplains of Masham refuse to perform, or celebrate, the obsequies of deceased infants, and poor persons whomsoever, unless they first be satisfied, by the friends and parents, of twopence for every night watch, which they have frequently extorted. The chaplains receive at every solemnization of marriage, eightpence, of the money placed upon the book, contrary to their ancient usages, and the parishioners pray for the imposition of silence on the same chaplains.—No. LIII., p. 249.

[*Same heading as above*].

MASHAM.—The Chancel is defective in the ceiling. The guardian of the jurisdiction claims from the executors of these deceased persons who have made wills, one signet ring, when the testator had none, contrary to the ancient custom.—p. 255.

[*Same heading*].

MASHAM.—The ceiling over the Altar in the Chancel is wanting. The Chancel is defective in one beam in the roof, and in glass windows. Three roods of land appertaining to the church of Masham for the maintenance of of one lamp, are withheld by Richard Pygot, Sergeant-at-Law.—p. 259.

[*Same heading*].

MASHAM.—The parishioners think they had great wrong, because they wanted a parish priest three quarters of a year. Also the neighbors think they have wrong that they may not have the tithe calves and lambs, but other men without the parish buy them. Also they think they have wrong that if a poor person sell one of the worst calves, they take the best to tithe. Also we desire to know what a servant should pay to tithe for his hire, for as much as 10s. is drawn from poor servants that have but a small wage to find them: it is sore for them to take so much. Also the parsonage, and the houses that belong to it, go down and are unrepaired. Also they complain that there is no ceiling over the high altar. Also they think they would have the high mass done in the work-day between 9 and 10 of the clock, and of the Holiday begun at 10 of the clock.—p. 263.

[*Same heading*].

MASHAM.—An ordinance for celebrating divine service in the summer and winter time, in the church of Masham.

On Saturday, that is to say the 13th day of August in the year of our Lord 1519, it is appointed that from the Annunciation of the blessed Virgin Mary [25th March] unto the Feast of the Nativity of the same [25th Decr.], the first bell shall be rung for matins at 6 o'clock, and that they commence matins at 7 o'clock. And from the Feast of the Nativity unto the feast of

the Annunciation of the Blessed Mary, the first bell be rung at half an hour before seven, and they ought to commence matins at half an hour before eight. And for celebrating vespers it is appointed that the first bell be sounded at 1 o'clock, and that they commence vespers at 2 o'clock in winter time; and in summer time the last bell be rung at 2 o'clock aforesaid, and they commence vespers at 3 o'clock. [This order was made in consequence of a request from the parish]. Also they desire that a fixed time be appointed for celebrating divine service—the parish extending to 5 miles.—P. 269.

No. 12.

Extract from Rymer's "Fædera," vol. vi., p. 126.

[TRANSLATION].

A.D. 1545, } To all, &c., Thomas Wriothesley, Knight, of the most noble Order
36 Hy. 8th. } of the Garter, Lord Wriothesley, and Chancellor of England,
Greeting in the Lord everlasting. Know ye, that I have granted to my most excellent and invincible Prince and Lord, my Lord Hy. 8th, by the grace of God of England, &c., all those my advowsons, presentations, donations, free dispositions, and rights of patronage, of the Prebend of Masham, within the metropolitan church of York, in the county of the city of York, and of the Rectory and parish church of Shillington in the county of Bedford, and the Rectory of the parish church of Great Bowdon in the county of Leicester, &c.

In testimony whereof, to this my present charter, I have affixed my seal of arms. Given the last day of May in the 27th year of the said Lord the King.

No. 13.

Extracts from Torr's MSS., preserved in the Library of the Dean and Chapter of York.

YORK MINSTER.—PREBEND OF MASHAM.

MASHAM PREB. £136 13s. 9d.

R. Steph. Roger de Mowbray granted to the Church of St. Peter of York, the Churches of Massam, Kirkby Malesart, and four other Churches. Yet before that, Walter Buhert, with his own hand, offered upon the altar of St. Peter, the Church of Massam, in frankalmoign, to hold the same to God, St. Peter, and the Canons thereof; and to Roger de Albini then holding it for a Prebend, and William de Sunelli, exempted the same from the Archdeacon's jurisdiction.

EXTENT.—According to the old extent of this Prebend of Massam.

CHURCH.—The Prebendary is Rector of the Church of Massam, which was exempted from all customs and exactions of the Archdeacon.

MANOR.—Hath his manor thereon (which was built of many tenements.)

TENEMENTS AND LANDS.—Also, hath these following tenements which belong to his Prebend, viz :—

1.—The Lord Hen. le Scrop holds 4 tenements, and 3 oxgangs of land—and another tenement called—

2.—P. B. holds one Tenement—*ibid*—and another tenement called Aldburgh-place.—Also one Oxgang of land.

3.—W. T. holds one tenement, and 8 acres of land.

4.—A. B. holds one tenement, and 7 acres of land.

5.—J. B. holds two tenements and 1 oxgang, and 7 acres of land, and one tenement, within the Prebendal manor.

6.—J. W. holds 2 tenements, 2 oxgangs, and 3 roods of land.

7.—O. H. holds one tenement, and 3 acres of land.

8.—Moreover, there are two tenements there called Hackford-place, and 6 other tenements, with their gardens; and one acre in the N—fields, upon Elyngton-gate, and $\frac{1}{2}$ an acre in *le Sorcrofte*; and $\frac{1}{2}$ an acre in *les Lofebultes*.

JURISDICTION.—The Prebendary hath jurisdiction of all and singular the sojourners and inhabitants of the same town of Masham.

SUTTON.—It.—The Prebendary hath dominion and all manner of jurisdiction of 2 tenements, and a close containing 4 acres in Sutton.

ELYNGTON.—It.—The Prebend hath in Elyngton, dominion and jurisdiction of three tenements, and three acres of land.

WANDSWORTH.—It.—It.—The Prebendary hath in Wandsworth, all kind of jurisdiction of one close at the end of the town, and of all other the inhabitants of the said town.

FETHERBY.—It.—The Prebendary hath in Fetherby [*Fearby*], dominion and all manner of jurisdiction, and 7 tenements, 3 oxgangs, and $\frac{1}{2}$ acre of land.

ELYNGTHANGS.—It.—The Prebendary hath in Elynthangs, dominion and jurisdiction of all the inhabitants thereof, and one tenement with $\frac{1}{2}$ an acre of land.

BURTON SUPER.—It.—The Prebendary hath in Upper Burton, dominion and jurisdiction of all tenants and inhabitants therein, and 2 tenements, and $\frac{1}{2}$ an acre of land.

MAJOR AND MINOR.—And jurisdiction of those of Burton's.

ALDBURGH.—It.—The Prebendary hath dominion and jurisdiction of all the tenants and lands which the Abbot of Fountains holds of him in Aldburgh, *i. e.*—Aldburgh-grange and—North Cote.

ILTON.—It.—The Prebendary hath dominion and jurisdiction of all tenants and inhabitants in Ilton, and 3 tenements, and one oxgang of land, *ibid*.

It.—The Prebendary hath jurisdiction of all these places and towns following, viz :—Slapewath, Sowremire, Pickerisgill, Leghton, and Leghton with the Vaccary and Grange of Pott, belonging to the Abbot of Fountains—Helagh, with Helagh Cotts, Elington Upper, Nether Swynton, Wardesmarke—a mansion at Biggante.

KIRKEBY MALESARD.

It.—The Prebendary of Masham, is Rector of the Church of Kirkby Mal-

sard, which (together with Massam), was exempted from all customs and exactions of the Archdeacon and his officials, by Sewell, Archbishop of York, and the Chapter of the same.

DOMINION.—JURISDICTION.—Also, hath dominion and jurisdiction of all the tenants and inhabitants of the same town.

TENEMENTS AND LANDS.—And 2 free tenements, with their crofts, and 1 acre and 3 roods of land.

BOND.—Also, there are held of him, by tenants in bondage, 4 tenements, 4 oxgangs of land, and 7 cottages.

Moreover, there are in the Parish of Kirkby Maleshard, these subsequent towns, hamlets, granges, and places, which pertain to the jurisdiction of this Prebend of Massam, viz:—the towns of Azerlawe [Azerley], Thorpe [Grewelthorpe], Wykelhaw, Wraythwayte, Langell, Laverton, the Hamlets of Wyfose, Katesmore [Ketsmoor], Sweton, Carleton Dale, and Dale Bonhous, the Granges of Galghow [Galphay], Wyggings, Bramle, and divers places and Granges, within Nidderdale, * viz:—Angram, Westhouse, Loge [Lodge], Sykeshouse, Hackenker [Heathen-Car], Woldale, Newhouses, Lymb [Limley], Trop, Middlesmore, Steane, Stodfolde, Lofthouse, Morehouse de Steane, Brathwayte [Bouthwaite,] Ramesgill, Ragil house, Calf hull house [Calvalhouse,] Goldethwayte [Gowthwaite,] Sixford [Sigsworth], Irfeld, Effald, and one part of Hewith, Wynnesley [Winsle], Brunsle.

11 Kalend Junii, A.D. 1295.

THE PREBEND OF MASSAM being then vacant, the P. [Pope] by his apostolical authority, constituted out of it 3 Prebends, every of them to be of equal value, viz:—to consist of £50 sterling, per annum. And of the residue of the profits thereof, while it was entire to be totally assigned to the common use of the chapter.

1.—And collated the first Prebend on Robert de Lasey, his clerk.

2.—The 2nd, on Theobald, kinsman to the noble Earl of Barr.

3.—And the 3rd, on Boniface de Salucis, his clerk.

The old taxation of this Prebend of Massam, was £250, and the new taxation £120.

3 JULY, 28 HEN. VIII.

THOMAS BEDYILL, clerk, Preb. of Massam, demised unto John Foswyck, Esq., treasurer, of the first fruits and tenths for the term of 50 years, all that his Prebend of Massam, with all the houses, lands, tythes, obventions to it belonging, with the Parsonage of Langforde (except the Mansion-place within the City of York), rendering per ann. rent £136 13s. 4d.

CHURCHES PECULIAR.—MASSAM CHURCH OF ST. MARY.

LAND.—In the town of Massam and Little Burton, were 22 carucates of land, which answered for one Knight's fee.

* Mr. Grainge, in his History of Nidderdale, p. 169, says, that the places in Nidderdale here mentioned, are thus enumerated in an account previous to 1296.

Also there are 6 carucates, all which excepting 2 oxgangs held in Frank-almoigne by the Knights' Templars, were held by John de Watton [Wauton], who held the same of Roger de Mowbray, and he of John de Britannia, as he of the King in Capite.—Walter Buheret offered the church of Massam, in frankalmoigne to God and St. Peter of York, and to Roger de Albini and his successors, Prebendaries thereof.

K. STEPH. fo. 59.

CHURCH.—Roger de Mowbray granted to the church of St. Peter of York, this church of Massam, which became a Prebend therein from that time and was exempted from all archdeaconal customs and exactions: so the Prebend of Massam is Rector of the church thereof; having there his manor, many tenements, and about 10 oxgangs of land (4 tenements and 3 oxgangs whereof were held by the Lord Scrope, of Massam, over which the Prebendary hath all spiritual jurisdiction).

Geffrey le Scrope procured a charter for free-warren in all his demesne lands at Massam, as also a Wednesday-market there, and two fairs yearly; one on the eve and day of St. Barnaby the Apostle, and the eve and day of our Lady's Assumption.

THE PREBENDARY OF MASSAM has jurisdiction in all these towns and places, viz:—Towns—Sutton, Elyngton, upper and nether, Wandsworth, Fetherby, Elyngstring, Burton, major and minor, Aldburgh, North Cot, Ilton, Slapewath, Sowremyre, Pickerisgill, Leghton, Leghton with the Vaccary and Grange of Pott, belonging to the Abbot of Fountains, Helagh with Helagh Cotts, Swynton, Wardesmarke, Biggente Mansion.

The Vicarage of Masham is valued in the King's Books, viz:—

First Fruits	£46	6	8
Tenths	4	13	4
Subsidies	4	4	0

13th Nov. } JOHN BALDERSBY, Vicar of Massam and Kirkby Malshard,
A.D. 1448. } made his will (proved 25th Nov. 1448), giving his soul to God Almighty, St. Mary, and all saints, and his body to be buried in the church of St. Andrew, of Kirkby Malesart.

24th Nov. } JOHN MONTFORT, Vicar of Massam and Kirkby Malesart,
A.D. 1498. } made his will (proved 21st Jany. A.D. 1499), commending his soul to God almighty, St. Mary, and all saints, and his body to be buried in the quire of the church of Kirkby Malesart.

MIDDLESMOOR CHAPEL.

15th Nov. 1484.

THIS COMPOSITION AND CONCORD was made between the Prebendary of Massam, and Vicar of Kirkby Malsard, of the one part, and the inhabitants of the town of Middlesmoor, in Nidderdale, on the other part, viz:—That the said inhabitants of the town of Middlesmoor, have therein one

chapel, in which they were wont to hear divine service celebrated by stipendiary chaplain of their own, and also to have the sacraments administered to them by license of the Vicar, and now desire to have the said chapel and chapel yard consecrated, that they might bury therein, and have baptisms and marriages solemnized.

Wherefore, they promised for themselves and successors, inhabitants thereof, to pay all the tithes due, as well to the Prebendary, as to the Vicar of Kirkby (in which parish it is), and will likewise observe all customs heretofore used, and also contribute towards the repairs and other burdens of the mother church of Kirkby.

ON 15th Nov. A.D, 1484.

Obtained the Archbishop's Commission directed to William, Bishop of Dromore, to consecrate the said chapel and chapel yard.*

And on the 16th Novbr. 1484, the said Indenture of Covenant was confirmed by Thomas, Archbishop of York, accordingly.

No. 14.

Extracts from Dodsworth's MSS., preserved in the Bodleian Library, at Oxford, No. 5101, Vol. 160, fo. 268.

MASHAM CHURCH, 19th OCTOBER, 1622. CHOIR.—EAST WINDOW.

[TRANSLATION.]

“Pray for Sir John Stacy, Prebendary of the Prebend of Masham.”

Builded by } In the north choir a fair new monument with the portraitures
himself in } of a man and his wife—beneath six sons armed, and two
his lifetime. } daughters kneeling.

Quarterlys:—First: gules, three chevrons embraced, vair, a chief or. Second: Sable, three pickaxes, argent, a crescent-moon, or. Third: Azure, chief dancette, or. Fourth: Azure, a bend, or, with a file argent; paled with azure, a bend or, with a crescent-moon, argent. The same paled with Danby.

[Inscription translated as under.]

“Here lieth SIR MARMADUKE WYVELL, Knight, the first baronet of his name, son and heir of Christopher, by Margaret, daughter of John Scrope. Christopher was son and heir of Marmaduke, and Agnes one of the five sisters and co-heiresses of John, son and heir of Sir Ralph Fitz Randall, Knight, and Elizabeth one of the three sisters and co-heiresses of Ralph Lord Scrope, of Masham; Marmaduke was the son and heir of Robert, son and heir of Robert and Joan, daughter and heir of John Pigot.

In the year of our Lord 1613, when this monument was erected, Marmaduke by Magdalen, daughter of Sir Christopher Danby, Knight, had six sons and two daughters living. His then heir apparent was Christopher Marmaduke, son of Christopher.—Barbara the only begotten daughter of Marmaduke.

* “15th Nov. 1484, a Commission was issued to William, Bishop of Dromore, to consecrate *Capellam et Cimiterium in valle de Mijldemore infra circuitum de Nidderdale*.”—Fabric Rolls of York Minster, p. 241, Surtees Society.

He lived till the age of 76 years, and died in the year of his only Redeemer (to whom be all glory and blessing) 1617, and on the 9th day of the month of January.

The names of his sons were Christopher Marmaduke, Humphrey, Francis parson of Spennithorne, William a lawyer, John, Elizabeth, wife of Christopher Phillipson, of [Galgarth] Westmoreland, Mary, wife of [Thomas] Percehay, of Riton, widow of Francis Briggs of Malton.

KIRKBY MALASARD CHURCH.—NORTH WINDOW.

Argent, on a fesse, entre, two cotises, gules, three Ostrich feathers of the first.

SOUTH WINDOW.

Argent, three chevrons embraced on a chief of [or], the two molletts, of the first. Azure, a bend or, a file argent.

NORTH WINDOW.

[TRANSLATION].

“Pray for the soul of Wm. Baynare, chaplain, who caused this window to be made.”

NOTE.—That Kirkby Malasard and Masham, are two several parish churches, yet but one parsonage and one vicarage. Some time they were a Prebend of York, and dissolved by Hen. VIII., when he founded Trinity College, in Cambridge, and gave them to the same, who are now patrons.

No. 15.

Extracts from the Records at Lambeth Palace.

ENDOWMENTS OF VICARAGES, Vol. 2. YORK DIOCESE.

MARSHAM Vicarage, and Kirkby Malzeard Vicarage—endowment of United Vicarages belonging to the Prebend of Marsham, Nones [5th] April, 1278, in Register of dean and chapter of York.

CHESTER DIOCESE.

Massam and Kirkby Malesard Vicarage—endowment of Vicarage, Kalends of April, 1278.—Acts of Chapter, marked I., p. 67.—Register of Leases marked T. b. p. 93. Do. marked T. c. p. 48. Acts of Chapter marked X. a. p. 18 (York Registry).

No. 18.

PARLIAMENTARY SURVEYS, Vol. 18, p. 130.

AT THE SITTING held at KNARESBOROUGH the twenty-eighth day of May, in the year of our Lord, 1650, by virtue of a Commission for enquiry of church livings, before Sir Robert Barwick, Knight, Colonel Charles Fairfax, Esq., Henry Arthington, Thomas Stockdale, Thomas Dickenson, George Marwood, Sampson Staveley, and John Stanhope, Esqres., Commissioners, who upon their enquiry find as followeth :—

KIRKBYE MALZARD.

We find Kirkbye Malzard a parish, and extends to these towns and villages, namely, Kirkbye Malzard, Azerley, Grewelthorpe, Larton cum Missis, Hartwytych cum Wynysey, Langley, Brastonewood, Dallowgill, Staynebeck-up, Carlesmoore, Staynebeck-down, Kettsmoore, Fountaynes Earth.

It is a Vicarage presentative with cure of souls, and the cure at Kirkbye Malzard, supplied by Mr. Christopher Lancaster, preaching minister, whose maintenance arising out of the said parish, is only certain small tithes and duties not worth above £40 per annum.

There is only one chapel in that parish called Middlesmore chapel, which is supplied by Mr. John Cooper, who hath no other maintenance but what the people doth give him. We find that the tithe of the said parish are appropriated and granted to Trinity College, whose farmers do receive the profits. We conceive it necessary that besides the said church of Kirkbye Malzard, and the chapel of Middlesmore, there be one church erected more for the said towns of Brinham, Hartwith,* Winsley, and Brayston Wood, these places being far remote both from the said church and chapel, and fit to be a distinct parish from Kirkby Malzard.—Page 158.

Extracts taken from the Act Books belonging to the Ecclesiastical or Peculiar Court of Massam, from the year 1583 to the year 1641, containing the Presentments which were made in the Ecclesiastical Court there.
At a Court held in Massam Church, on the 16th July 1583, before Edward Fawcett, Official.

Lawrence Johnson, of Healey, that he begott a child in fornication with Jane Buckle six years ago, and hath, as yet, escaped without punishment for the same.—The Judge ordered him to do penance.

Ellen Metcalf, for fornication with Richard Chambers.—Condemned to do penance.

John Walker, for that he harboured a woman with child, who was delivered of the said child in his house, and after the delivery thereof, did convey or suffer her to go away before she had done penance for the same. They know not the woman's name, nor from whence she came.

Ann Johnson, of Fearbi, for that she harboured a woman called Margaret Slater, being with child, and delivered of the said child, in the house of the said Ann Johnson, and hath gone away without penance doing for the same.—Excommunicated.

William Ward, for that he harboured in his house, one Margaret Wyche, who was delivered of a child in his house, and went away without penance doing.

* This recommendation does not appear to have been attended to, as it was not till the year 1751, that a chapel was built at Hartwith. It was built by the subscription of landowners and tenants, and was consecrated 7th August, 1751. It was enlarged in 1830, at the expense of the landowners aided by a grant of £230 from the Church Building Society. The chapel yard was enlarged and consecrated in 1827. The annual value of the living is £116.

William Ward, for that he harboured another woman in his house called Isabel Hallywell with base child in the house of the said Warde; and went away without penance doing for the same.

Margaret Wiches, for fornication with Richard Burton, of Ingerthorpe, near Ripon.—Excommunicated.

Thomas Teasdale, and Ann Servant, for fornication.—Excommunicated.

Dorothy Broadwith, for that she is from her husband.

Isabelle Hallywell, for fornication with Wm. Ward.—Excommunicated.

Jane Hawkins, and Jo. Jackson, for fornication.—Excommunicated.

Margaret Crosbie, for fornication.—Excommunicated.

Margaret Glewe, for fornication.—Excommunicated.

At a Court held the 31st July, 1584, in Masham Church.—

The Churchwardens of Kirkby Malzeard, and Cornelius Wells, clerk, Vicar of the same, for that their vicaredge is in decaie in the defoulte of the said Mr. Wells, and their queare is in decaie and not cleanlie kept, and not repayed in default as before.—*Deferred.*

At a Court held the 6th October, 1587.—

William Williamson, of Ellingstring, for that he committed fornication with Ann Askwith, and hath gotten a child in fornication with her.—He confessed the charge, and was ordered to do penance.

At a Court held the 5th December, 1587.—

Thomas Pratt, of Healey, and Matilda Crawland, of Massam, for fornication with each other.—Excommunicated.

Thomas Horseman, of Massam, and Helena Wright, of Cowling, for fornication together.—Excommunicated.

At a Court held the 31st March, 1589.—

Thomas Punder, of Ellingstring, and Dorothy Teasdale, for fornication.

Peter Mylner, William Wray, and Richard Hanley, for that they refuse to pay their sessments to the church.—Excommunicated.

Richard Pickersgill, of Hilton, for that he keepeth a *pedder* [pedler's] wife in his house, very suspitiously to the offence of his neighbours.

At a Court held the 10th Feb. 1591.—

William Atkinson, Milner [Miller], and his wife, for fornication together before marriage.—Excommunicated.

At a Court held the 12th Oct. 1592, at Masham Church.—

Henry Chatter, and Matilda Crawland, for fornication together.—Excommunicated the man.

Thomas Smorthwaite, and Elizabeth Cusse, for fornication.

Nicholas Pickersgill, of Iilton, for that he keepeth a *pedder* wife in his house very suspiciously, to the great offence of his neighbours, and was enjoined to put her away, and never to come in her company again, either in

church or market; and yet he keepeth her still in his house, &c.—to the great danger of his own soul.

At a Court held the 22nd of April, 1594.—

John Horseman, of Stonefold, near Healey, for there was a young woman brought from——, who had a child in his house begotten in fornication by Christopher Horseman, now deceased.—Excommunicated.

Anthony Beckwith, of Nutwith Cote, for that a proper young woman was brought to his house, and there bare a child begotten in fornication, and he hath suffered her to depart unpunished.—Excommunicated.

At a Court held in Masham Church, 16 July, 1601.

Matthew Smorthit, of Healey, and Ellen Pickersgill, for fornication before marriage.

At a Court held in Masham Church before the Rev. Gilbert Horseman, on the 8th April, 1618.

Robert Watson, presented for adultery or fornication with Mary Gregg.

Robert Ponder, presented for committing the crime of adultery with—— Fyshwick.

William King, presented for adultery or fornication with Anne Pattison.—He confesseth it.

Isabel Danby, wife of Christopher Danby, Gen., Constance Beckwyth, wife of Richard Beckwith, John Smerthwaite, Thomas Walker, Katherine Norton, wift of Robert Norton, Gen., Ellen and Elizabeth Norton, Christ'r Reyner, Senr., Christ'r Theakston, Christopher Watson, Margaret Smyth the wife of John Smith, Dorothy Brunton, Edward Brunton, Richard Atkinson and Agnes his wife, Margaret Atkinson widow, and Marmaduke Atkinson her son, Lambert Wade, Richard Lucas and his wife, Agnes, wife of Anth'y Crosbye, Elizabeth, wife of William Kinge, Frances, * the wife of Christopher Danbye, of Leighton, Esq., John Carter, Lucy Jackson, widow, Marmaduke Wintersgill, and Janet his wife, and son, John Gleadston, Thomas Jackson, sen., and Ann his wife, William Cowper, Janet Jackson, widow, Robert † Wivel, gent., and Alice, his wife, Luna [or Lucy], Wyvil, widow, Cuthbert Wivell, and Elizabeth, his wife, John Win, Mary Redil, Thomas Spence, and Luna [or Lucy], his wife, Julia, wife of Christ'r Beckwith, Ann Hodgson, widow, and Ralph Wildman, presented for Recusants, and for standing excommunicate in not appearing to answer their Recusancy.

Jane Wivel, ‡ presented for harbouring many papistical Recusants § resorting to her house.

* She was the daughter of Edward Parker, Lord Morley, and the wife of Christopher Danby, Esq., Lord of Mashamshire.—See *ante* p. 268.

† Robert Wyvill was the sixth son of Sir Marmaduke Wyvill, Bart., by Magdalen daughter of Sir Christopher Danby, Knt.

‡ She was the widow of Christopher Wyvill.

§ At the Reformation those were deemed Recusants who disputed the authority of the Crown in causes Ecclesiastical, and denied the King's supremacy: but the Acts of Parliament made against Recusants, particularly the 35 Eliz., describe a Recusant to be "one who does not repair to some church or chapel or usual place of common prayer to hear divine services." Afterwards, receiving the Sacrament of the Church was made a further test of conformity.

William Theakston, for not receiving the holy communion ; and also, for that *they* buried Catherine Langdale, and Jane her daughter, being excommunicate Recusants, at the time of their death in the churchyard of Masham.

At a Court held at York Cathedral before Thomas Corney, the 29th July, 1618.

Edward Bovell of Massam, presented for that he was married with Margaret Foster without Banns asking, and as is thought in a private house.*

At a Court held the 1st April, 1619.

William Dodgeson, William Kinge, Richard Horner, and Christopher Williamson, churchwardens, for that there is wanting in the church a Pulpit cloth, a cushion for the Pulpit, the Book of Constitutions [canons] and the Book of Bishop Jewell.

Henry Pickard, for teaching a Schoole at Massam not knowne to be licensed.†

Simon Lambert, for teaching at Ilton, not knowne to be licensed.

Edward Sanderson and Maria Lleadley, for fornication together.

Thomas Smurthwaite, and Katherine Wilson, presented for the crime of fornication together.

Samuel Pinder, and A . . . Teasdell, presented for committing the crime of fornication before marriage.

Peter Spooner and Dorothy Applebye, for committing the crime of fornication together.

At a Court held before John Lawrence, 2 Sepr., 1619.

Henry Chatter, William Theakston, Christopher Renyer, Christopher Clarke, John Awton senr., Richard Hodgson, Christopher of Swinton, for not paying their 'Sessments for bread and wine [church-rate].

John Beckwith of Massam, for not paying his 'sessment of 6d. in the pound, and for taking upon him to bury his mother, being a Recusant, and dying excommunicate.

Robert Greaveson, for not paying his 'sessment for bread and wine, 4d.

— Charter, widow, for the like.

Majery Tailor, for having a child begotten in fornication, by Christopher Wilson.

Elizabeth Rainton, for having a child begotten in fornication by John Cross, and late the miller of Burton milne.

Thomas Mankin and his wife, for fornication before marriage.

John Theakston, of Ellingstring, senr., for bidding the churchwardens do their worst against him—being wished to go into the church.

William Casse, for keeping his hat on in communion time.

* The offence here indicated was that they had been married by a Roman Catholic priest.

† By the 77th Canon, no man shall teach a school but such as shall be licensed by the Bishop of the Diocese or Ordinary of the place ; and this is also enjoined by the Statutes 23 Eliz., cap. 1, the 13 and 14 Charles II., cap. 4—the latter of which also requires that every schoolmaster shall make a declaration that he will conform to the Liturgy of the Church of England. Even at this day the churchwardens are called upon every year to state whether there are any persons teaching schools within their respective parishes who have not been licensed.

At a Court held at York Cathedral before Thomas Corney, the 28th Sep. 1619.

Thomas Johnson and Ann Ringer, for committing the crime of fornication together.

Thomas Jaques of Swinton, and Catharine Beckwith—the like.

Christopher Wilson of Masham, for committing fornication with Ann his now wife before their marriage.

At a Court held the 14th Feb. 1620.

Thomas Theakston and Ann Ringer, for adultery or fornication together.

At a Court held in the Church of Kirkby Malzeard. on the 5th September, 1621.

Thomas Salywicke, William John Winne, and John Kirkby, for not receiving the holy communion, and for that they are Recusants.

Thomas Kinge, for not living with his wife.

John Smithson, for that he was married forth [out] of his own parish church.

Francis Lofthouse and Margaret his wife, for the like.

Edward Wintersgill of Fearby, for getting of a child in fornication, with Dorothy Pattison.

George Bawker and Janet Harrison, for committing of fornication together.

Marmaduke Walker and Elizabeth Walker, for the like.

William Theakston for burying of Christopher Theakston, a Recusant and excommunicate, in the night time.

Henry Teasdale and Jane his present wife, for committing fornication together before their marriage.

William Dodgson and Jane his wife, for the like.

NOTE.—Wm. Dodgson confessed “that he committed the crime aforesaid on the said Jane, afore their marriage.”—The Judge “did enjoyne that they should acknowledge their faults before the minister and churchwardens, and to pay 6s. to the repairs of Burnebridge.”

Richard Atkinson, of Ash-head, for that six or seven of his children were baptized they know not where, but as he saith some of them in Netherdale, and some of them in Masham parish.

At a Court held in York Cathedral before Thomas Coney, on the 9th September, 1622.

Richard Horner and Ellen Lonsdale, *alias* Horner his wife, for having a child begotten in adultery or fornication before their marriage.

At a Court held in Massam Church 16 Dec. 1623.

William Welfoote and Anne Johnson, for fornication together.—Excommunicated.

Henry Lowson of Fearby, and Jane Baine, for the like.—Excommunicated.

Christopher Ringer and Jane Dodgson, for fornication together before they were married.

John Grainge of Healey, and Ann Pinder, *alias* Grainge his reputed wife, being married without their parish church, and for fornication together.—Excommunicated.

Robert Jackson and Ellen Batty, *alias* Jackson his reputed wife, for the like.—Excommunicated.

Thomas Teasdell, Richard Beckwith, William Gray, Anthony Horsman, Christopher Thwaite, William Horsman the elder, Henry Browne, Janetta Walker widow, William Mawer, Henry Taylor gent., Henry Chater, William Gregg, Christopher Gregg, and Marmaduke Beckwith, for not paying their 'sessments to the church.—Excommunicated.

Thomas Walker of the Coate, and Leonora Plewes of Massam, for fornication together.

Richard Horner and Ellen Langdale, for fornication before marriage.

Isabella Danby, wife of Christopher Danby, Margery Watson widow, Thomas Walker, Stephen Wintersgill, and Catherine his wife, Elizabeth Wilson, Alice Peake, and Ralph Norton of Massam, Popish Recusants.—Excommunicated.

John Scott and Dorothy Lucas, for being present at the burial of Ralph Lucas, an excommunicate person and a Recusant.—Excommunicated.

—— Thompson, * of Skelfeyyeate, suspected to be a Popish Priest.—Excommunicated.

John Grainge, for having a child christened with a Popish Priest called Thompson.*—Excommunicated.

Robert Dawson, Christopher Ellerker, gent., and Jo. Hawkeswell, churchwardens, for not appearing at the visitation.

Simon Awton and Dorothy Jackson, for fornication together.

Stephen Wintersgill of Massam, blacksmith, and Catherine his wife, John Smithson of Swinton, Webster [Weaver], and Eleanor his wife, Jo. Dawson of the same place, husbandman, and Mary his wife, Anna the wife of Jo. Slater of the same place, husbandman, Thomas Gowland of the same place, Webster and his wife, Agnes Clerk wife of Jo. Clerke, labourer, Jo. Ward of the same place, husbandman, Frances Smith widow, Christopher Watson of Swinton, Jo. Jackson of High Ellington, yeoman, and Jane his wife, George Braithwaite and Ann his wife, Anthony Lofthouse and Dorothy his wife, —Baine widow, and Ann her daughter, Jo. Burrill and his wife, Maria wife of Peter Hanley, Tho. Hambleton and his wife, and Matthew his son, Ralph King and Margaret his wife —the wife of William King, Robert Jackson and Ellen his wife, Christopher Johnson of Fearby, Eliz. the wife of William Bower, Margaret Lowson widow, Jo. Lowson and Anna his wife, Thomas Mallersonhall and Edith his wife, Marmaduke Kirkeby

* If this is the same person as is mentioned by Bishop Chaloner in his Memoirs of the Missionary priests under the name of John Tompson, he was born in Nidderdale, and afterwards became a Seminary priest. In the year 1651, he was apprehended at Malton on that charge, was placed in the Stocks there and afterwards sent to York Castle, where he was tried and convicted, but died before his execution.—See *Raine's Depositions from York Castle*, page 47.

and Anne his wife, Margaret the wife of Sampson Horseman, Elizabeth Baker, Recusants.

William Ripley, for teaching children in his house without a licence.

Christopher Done and Anne Red, for having a child in fornication together.

Robert Tennant and Dorothy Tilford, for the like.

Robert Cowper and Lucy Baine, his wife, for fornication before marriage.

William Missy and his wife, for the like.

Thomas Scrowthorpe, for working upon the sabbath-day.

Thomas Walker and Francis Walker, for burying Michael Walker, an excommunicate person.

Robert Armistead, Mallory Normanville, and Lancelot Walton, junr., for burying of Dorothy Armistead, an excommunicate person.

William Talbot [of Kirkby Malzeard parish], for harbouring a Popish priest in his house to say mass there.

Henry Duffield [of Kirkby Malzeard parish], for having Mass done in his house as is reported.

The same Henry Duffield, for having a child christened forth [out] of his parish church, and not knowne where.

Thomas Bird, for having superstitious crossings with towells at the burial of one of his children.

Jo. Wiseman, for the like when his wife was buried.

William Dawson, Christopher Hanson, and Henry Duffield, for not paying their 'cessments [church rates].

Catherine the wife of Leonard Leathley, Ann Richmond widow, Margaret Huille, Thomas Metcalfe, Thomas Walker, Junr. and Margaret his wife, Francis Atkinson, Ann the wife of Robert Fleetham, Margaret Winn, Ralph Burnett, Ann Smith widow, Margaret Rayner widow, Janetta the wife of Anthony Malthæ, Jo. Waite and his wife, Marmaduke Blackburn and Ann his daughter, Francis Beckwith and Janetta his wife, Gilbert Beckwith, Christopher Smyth, Catherine Heslington, George Theakston, Isabella the wife of Gilbert Theakston, William Talbott, Stephen Talbott and Margaret his reputed wife, Geoffrey East and Margaret Burneston his servants, Bridgett Armistead, Elizh. Wells, Margaret the wife of Thomas Birde, Stephen Fawcett, Elizh. his wife, Margaret the wife of William Gildar, Ann the wife of William Marshall, Gilbert Smith and Ann his wife, Henry Duffield and his wife, Dorothy Duffield widow, Ann the wife of Nicholas Beckwith, Robert Armistead, George Kirkby, Alice the wife of William Abbott, Ann Braithwaite, Dorothy the wife of Leonard Beckwith, Dorothy the wife of George Smith, Gilbert Atkinson and Margaret his wife, Barbara Foster, Margaret the wife of Thomas Lambe, Maria Reed, Elizh. Bell, Alice Ella. —the wife of Lancelot Edon, Popish Recusants.

At a Court held on the 14th July, 1624.

John Carling of Healey, and Ann Grainge, *alias* Pinder his reputed wife, Robert Jackson of Ilton, and Ellen Batty, *alias* Jackson, his reputed wife,

for being married clandestinely without licence or banns asking forth of their Parish Church.

John Carter and Ann Atkinson, his reputed wife, and Christopher Beckwith of Nutwith Cote, and Smyth his reputed wife, for the like.

At a Court held before Gilbert Horsman 18th Aug. 1624.

John Scowthorpe of Oldfield, and Ann Beckwith, *alias* Scowthorpe, of Nutwith Cote, his reputed wife, being married without licence or banns asking, not known where.

Christopher Beckwith of the same place, and Ann Smyth, *alias* Beckwith, being married in a priest's house without their parish church without licence or banns asking,

J. Barker and Ann Atkinson, his reputed wife, for the like.

Gilbert Atkinson and Christoper Smith, "for bragging or boasting that they would have a popish priest at their house, and if Mr. Horsman [the Vicar], came thither at that time, he should have hott service."

Ann Pinger, for having a child begotten in fornication.

Ann Morriss, for the like.

Lucy Plewes of Ellington, for the like.

Christopher Pinder of Swinton, for harbouring of Ann Pinger, who have together at his house begotten a child in fornication.

Mary Norris, for harbouring Ann Norris, for the like.

At a Court held at the Church of Kirkby Malzeard 30th Aug. 1624.

Stephen Wintersgill and Catherine his wife, for not receiving the holy communion at Easter was twelve months.

Edward Buckshaw and Ann his wife, of Masham, for not living together.

Edward Johnson of Massam, for living suspiciously, and committing adultery with Ann Spark, his woman servant.

Edward Johnson for vain swearing.

Ann Hodgson, wife of Richard Hodgson of Swinton, for brawling and scolding.

Eliz. the wife of Richard Cleveland, of Massam, and Ellen the wife of Christ. Moore, of Healey, for brawling and scolding.

Robt. Theakston of Healey, for not bringing his children to the church to be christened.

Soloman Adamson of Swinton and Margaret his wife, Jo. Ward of the same place, John Smith, John Clerke and his wife of the same place, William Theakston and his wife of the same place, Thomas Madderson and Ann his wife, John Jackson of Sourmire and his wife, Elizabeth the wife of William Baker of Wardermaske, and Margaret the wife of Sampson Horseman—being Popish Recusants, and lately fallen away.

Dorothy Johnson of Ilton, widow, Mary the wife of Peter Hanley of Pott, Thomas Hambleton, Robert Jackson and Ellen his wife, of Moorheads, Magdalen Jackson of the same place, spinster, Robt. Theakston and his wife of Healey, Lucy Jackson widow, of the same place, Marmaduke Ferbie of

the same place, Francis Atkinson of Healey Coate, Barnabas Jackson of Healey, Thomas Kinge of Crabbe-tree House, Elizh. Bowes wife of Michael Bowes of Fearby, Alice Griswitt of the same place, Margaret Baine of the same place, spinster, and Christopher Johnson of the same place, being Popish Recusants, and lately fallen away.

At a Court held at the Church at Kirkby-Malzeard on the 23rd Feb. 1625, before Edward Watkinson, LL.D.

Christopher Lodge and Elizh. Ward, of Massam, for committing fornication together.

Thomas Boddy and Margaret Tuting, of Ellington, for committing fornication together.

Isabella Scott, * for committing fornication with Christopher Danby, of Pott, and having a child begotten by him in fornication.

Henry Pickerd churchwarden of Masham, for being negligent in the service of his office, and absenting of himself from the church in the time of prayers.

At a Court held at the Church of Kirkby Malzeard on the 23rd Sept. 1626.

Thomas Hodgson, † for reading of prayers and serving the cure of Massam without a license from the Ordinary.—Dismissed.

—Towler, the son of Humphrey Towler, of Moorheads, for selling shoes on the sabbath days in the time of divine service.

Sampson Butterfield and his wife, of Massam, Elizabeth the wife of Ralph Wilson, of the same place, Thomas Theakston, senr., and his wife, of Ellington, James Gleadston and his wife, Robert Williamson and his wife, Elizabeth Walker, spinster, of the same place, for not receiving the Holy Communion at Easter last.

Christopher Lodge and Elizabeth Ward, for standing excommunicate.

Edward Blackhouse and his wife, for the like.

Stephen Wintersgill and his wife, for the like.

Gilbert Atkinson and Ann his reputed wife, for being married by a Popish Priest, and by *feere* as is supposed, or for living unlawfully together.—Excommunicated.

Henry Duffield, for having sundry Masses done in his house, and for having one of his children baptized by a Popish Priest as is thought.—Excommunicated.

Alice Sirre, and John Sirre [both of the parish of Kirkby Malzeard], for saying a Pater-noster suspiciously for the soule of an old wife who had dyed at Gilbert Pickersgill's house at Ringbeck, after the funeral was done.—Excommunicated.

At a Court held at Kirkby Malzeard Church, on the 6th Nov. 1626, before Edward Watkinson, LL.D.

Thomas Theakston, Anthony Smirthwaite, Robert Boddie, and Robert

* See as to this *ante* p. 269.

† He became the curate of Masham about A.D. 1624.—See *ante* p. 334.

Awton, churchwardens, of Massam, for that they have not a table containing the Degrees for marriage.

Henry Pickard, for not receiving the holy communion at Easter last.

Sampson Walker and Margaret Horsman of Ilton, for being unlawfully married together as is thought by an unlawful minister, and yet living together as man and wife.

Christopher Beckwith, Junr., of Massam, and Maria Beckwith of Massam, for the like.

William Johnson and Sarah Pickersgill, for the like.

Thomas Hebden of Ellingstring, for abusing the churchwardens with evil speeches in time of divine service.

Henry Pickerd, for abusing the minister and churchwardens.

At a Court held at Masham Church, on the 28th Feb. 1627, before Edward Watkinson, LL.D.

John Sanderson of Healey, for teaching without license.—Excommunicated.

Isabella Danby the wife of Christopher * Danby, gent., Robert Thwaite and Frances his daughter, Margaret Smirthwaite, spinster, Alice Peake, spinster, Margaret Watson, widow, John Winde, Richard Atkinson of Moorheads, Barnabas Jackson of Healey, Lucy Jackson, widow, Mabel the wife of Henry Clarke of Healey, Thomas Gowland and his wife, John Jackson and his wife, John Jackson and his wife of Rawmore [Roomer] John Adamson and his wife of Swinton, Marmaduke Atkinson of Ash-head, Batchellor, presented for Popish Recusants.

John Sanderson of Healey, for saying in a bragging manner he would teach School without license and stand excommunicate, and none come at the church.

At a Court held in Kirkby Malzeard Church on the 19th May, 1628.

John Hardecastle, for burying his grandmother, being excommunicated.—Excommunicated.

At a Court held in Kirkby Malzeard Church on the 18th Dec. 1628, before Edwd. Watkinson, LL.D.

Christopher Gristhwaite and Jane Tuting his reputed wife, for being married as is reported, and the minister who married them not known and they having had a child together.

Isabella Danby the wife of Christopher Danby, Alice Peake, spinster, Margaret Smirthwaite, Marjery Watson, James Waite, gent., Elizabeth the wife of Myers Bowes, William Wintersgill and Isabella his wife, Ann the wife of William Cowper, Isabella the wife of George Clerke, Lucy Jackson, widow, Barnabas Jackson, Thomas Salrwick, Ellenor Moore, Catherine the wife of Robert Norton, gent., † Thomas Lowland and his wife, John Clerke and his wife, John Slater, Rachel Hartte, William Theakston and his wife,

* This must be the "Unjust Steward."

† See *ante* p. 286.

John Jackson of Rawmore, Thomas Matterson and his wife, Elizabeth Baker and Ann Pickering, presented for Popish Recusants and excommunicate persons.

Christopher Johnson of Ilton, Roger Atkinson and his wife, Robert Warde and his wife, Marmaduke Atkinson, Roger Atkinson, junr., of Ashhead, Edward Ashe and his wife, Elizabeth Atkinson, Robert Jackson and his wife, John Kirkby and his wife, Marmaduke Kirkbie, Thomas Kinge and his wife, — Lucas, widow, Elizabeth Kinge, Robert Theakston and his wife, William Kinge and his wife, Ann the wife of John Astwith, and John Ward, for the like.

At a Court held in Massam Church on the 19th May, 1629, before Andrew Agar.

Ann Sparke, for committing fornication with one Edward Johnson deceased.

Robert Greaveson, and Beatrix Mankin, for the like.

Isabella the wife of Christopher Danby, gent., John Winde, William Rawe, Robert Thwaites and Francis his son, Elizabeth the wife of William Baker, Jane the wife of John Slater, Thomas Gowland and his wife, John Adamson and his wife, John Clarke and his wife, Jo. Jackson, Thomas Mad-derson and his wife, Lucy Jackson widow, Barnard Jackson, Mabel the wife of George Clarke, Ellen Moore widow, Thomas Salrwick *alias* Gillam, Dorothy Clarke, widow, Robert Theakston and his wife, Elizabeth Atkinson, spinster, Rich. Atkinson, and James Waite, gent., presented for Popish Recusants and excommunicate persons.

Marmaduke Atkinson, Robert Warde, Richard Atkinson, junr., Edward Ashe and his wife, John Kirkbie and his wife, Robert Jackson and his wife, Lambert Ward and his wife, Thomas Hambleton and his wife, Marmaduke Kirkby and his wife, Thomas Kinge and his wife, Elizabeth Kinge, widow, Catherine Lofthouse, widow, Margaret the wife of Francis Lofthouse, Ann the wife of Jo. Askwith, Christopher Johnson, Elizabeth the wife of George Kinge, Dorothy Johnson, widow, for the like.

At a Court held in Kirkby Malzeard Church on the 24th Nov. 1629, before Gilbert Horsman.

Thomas Boddie and Frances Dodgson, for living together as man and wife, it being unknown whether they be married or not.—Dismissed.

William Thwaites and his reputed wife, of Ellington, for being clandestinely married together.

John Slater, and Margaret Adamson, for committing fornication together.—Excommunicated.

Thomas Beckwith of Aldbrough, and Jane Beckwith, for being unlawfully married together, being Cozen Germans.—marked “not cited.”—

Marmaduke Thompson of Masham, and Dorothy Pickersgill, for being clandestinely married together.

At a Court held at York Minster the 13th May, 1631, before Andrew Agar.

Thomas Fenton of Gowthwaite Park, presented long ago for committing adultery with one Ellen Duffield.—Absolved.

Robert Danby * of Massam, gent., and Thomas Thwaites of High Ellington, for not receiving the holy communion at Easter last.

Ann the wife of Edward Buckshaw, for living from her husband contrary to his mind.

Marmaduke Smorthwaite of Nutwith Cote, and Frances Dodgson his servant, for fornication together.—Dismissed.

William Holmes of Ellingstring, and Ann his reputed wife, for fornication together before they were married, and for being married clandestinely, or for living together as man and wife unmarried.

Elizabeth Cowper of Ellingstring, for working at hay on the sabbath day.

Isabella the wife of Christopher Danby, gent., Margaret Watson, widow, Marjery Smorthwaite, spinster, Robert Thwaite, Alice Peake, spinster, and John Winde, of Massam, John Adamson and his wife, Thomas Gowland and his wife, William Theakston and his wife, John Slater, John Smith junr., John and Lambert Warde of Swinton, Roger Atkinson and his wife, Robert Ward and his wife, Edward Paley, batchelor, Marmaduke Atkinson, batchelor, Thomas Kinge and his wife, and Elizabeth Kinge, widow, of Moor-heads, presented for Recusants.

Barnard Jackson, Lucy Jackson, widow, and Dorothy Clarke, spinster, of Healey, Elizabeth, the wife of Michael Bowes, and William Wintersgill, senr., of Fearby, William Cowper and his wife, and James Gleadston of Ellington, Thomas Madderson and his wife, William Baker and George Jackson, bachelor, of Romer, for the like.

Thomas Jackson, for swearing and taking the name of God in vain in blasphemous manner.

Christopher Wilson of Massam, for undecent and uncivil behaviour in the church.

Sampson Walker and Margaret his wife, for harbouring one Margaret Ibbotson till she was delivered of a child, begotten in fornication by one Francis Topham of Cawdbergh, and suffering her to depart unpunished.

At a Court held the 24th May, 1631, before Gilbert Horsman.

Christopher Beckwith of Rawmore, for committing adultery with Elizh. Horsman.

Ann Williamson, widow, for adultery by her committed with one Michael Archer of Kilgrame, in Witton parish.—Excommunicated.

Thomas Jackson, senr., of Ellington, for a drunkard and vaine swearer.

Francis Ripley, for sleeping in the church.

At a Court held in Massam Church 12th June, 1632.

Mark Smith of Healey, for teaching without license.

* See *ante* page 266.

James Hunton and Jennett Walker, of Swinton, for living together as man and wife.

Marjery Watson, widow, Francis Thwaites, Alice Peake, spinster, Margaret Smirthwaite, spinster, and John Winde, of Massam, for Recusants.

John Adamson and Margaret his wife, and Margaret his daughter, John Smith, — the wife of William Cowper, John Clarke and his wife, Thomas Gowland and his wife, Catherine Harker, widow, William Theakston and his wife, George Jackson, and the wife of William Baker of Swinton, presented for the like.

Dorothy Johnson, widow, Richard Atkinson and his wife, Richard Atkinson the yr., Marmaduke Atkinson, Robert Warde and his wife, and Edward Paley of Ilton, for the like.

Mabel the wife of George Clarke, Barnabas Jackson, Elizh. Kinge, widow, Thomas Kinge and his wife, of Healey, presented for the like.

Robert Jackson and his wife of Healey, Elizh. the wife of Michael Bowes, and William Wintersgill and his wife, of Fearby, James Gleadston and his wife, Thomas Thwaites and his wife, of Ellington, and Thomas Madderson of Burton, presented for the like.

At a Court held at Kirkby Malzeard Church the 26th March, 1633, before Gilbert Horsman.

Leonard Beckwith of Pond, in the parish of Masham, and Ann Bird his reputed wife, for being clandestinely married together.

At a Court held in Massam Church on the 13th Sep. 1633, before Gilbert Horsman.

Simon Hargrave and Ann Smorthwaite, of Ellington, widow, for fornication together.

[N.B.—They proved that they were married at Middleham, on the 20th August, 1633].

William Jackson of Grimesgill, for harbouring a woman in his house who bore a child there begotten by one Beane of the parish of Hornby, a married man, and for suffering her to depart unpunished.

Robert Hodgson of Fearby, for a common drunkard and swearer.

Alice the wife of Christopher Cusse, of Massam, for a malicious slanderer.

Magdalen the wife of Roger Banks, of Massam, for a common scould and a blasphemous swearer.

The wife of Humphrey Baine of Somerfield, for not coming to church to give thanks for her safe deliverance in child birth.

Marmaduke Smith of Healey, for standing excommunicate for teaching school without license, and for threatening not to come to church in prayer time.

Matthew Baines and John Kettlewell, for carding two several Sabbath days.

John Harrison of Massam, and Robert Walton of the same place, for suffering them to play in their houses said days respectively.

Francis Warde and Alice Walton, of Moorlands, for living together as man and wife, and being unlawfully married.

Marjery Watson, widow, Alice Peake, John Wynde and Elizh. his wife, George Kinge of Massam, presented for Recusants.

Elizabeth the wife of Michael Bowes, William Wintersgill and Isabella his wife, of Fearby, for the like.

Thomas Thwaites, James Gleadston and his wife, of Ellington, for the like.

Jane * Wivell, widow, Phillipa † Wivell, Margaret Danby, Alice Wrand, William ‡ Wivell, Robert Mitchell, Francis Thwaite, Dorothy Thrackwray, Thomas Madderson and his wife, of the Village of Burton, presented for the like.

John Adamson and his wife, Margaret Adamson his daughter, Thomas Gowland and his wife, John Clarke and his wife, Ann the wife of William Cowper, William Theakston and his wife, George Jackson and his reputed wife, Thomas Harrison and Catherine Harbert his reputed wife, Ann Gowland, Dorothy Brunton, Jo. Smith, Elizabeth the wife of William Baker, and —the wife of John Slater of Swinton, for the like.

Dorothy Johnson, widow, Richard Atkinson and his wife, Richard Atkinson, junr., Marmaduke Atkinson, Ellen Atkinson, Robert Warde and his wife, Lambert Warde and his wife, Francis Warde and Alice Walton his reputed wife, Edward Paley and his wife, Robert Jackson and his wife, Thomas Kinge and his wife, Elizabeth Kinge widow, and Magdalen Jackson spinster, of Ilton and Moorheads, presented for the like.

Mabel Clarke, widow, Jane Clarke, Barnabas Jackson, Dorothy Clarke, Robert Theakston and his wife, and Ann the wife of John Askwith of Healey, presented the 27th Aug. 1633, all for the like Recusants.

At a Court held in Kirkby Malzeard Church the 18th Dec. 1634, before Gilbert Horsman.

William Williamson and Margaret Hammond of High Ellington, for living together as man and wife, not known whether they be married or no. [N.B.—They proved that they were really married].

John Chambers of Ellingstring and Dorothy his wife, for living asunder.—Excommunicated.

Edward Beckshaw and Ann his wife, for the like.

Nicholas Bridgewater of Fearby, for a malicious reviler and a contentious person.

William Williamson of High Ellington, and Jane the wife of Henry Thompson of Ellingstring, for suspicion and adultery together.

John Husband and Elizabeth his wife, of Massam, for fornication before marriage.

* She was the widow of Christopher Wyvill of Little or Low Burton.

† She was the youngest daughter of Jane Wyvil, above mentioned, and was afterwards the wife of Richard Sale.

‡ He was the son of Jane Wyvill above mentioned.

William Awton and Margaret his wife, for the like.

William Wintersgill of Massam, for being disobedient to parents, and also a blasphemous swearer and drunkard.

Robert Boddie, Robert Watson, junr., Robert Greenson, Robert Walton, Richard Johnson, Ghristopher Waggett, Christopher Beckwith of Massam, for not paying their 'sessment to the church.—William Gray, John Lucas, Christopher Rainger, John Awton, —Cowper widow of Swinton, for the like.—Thomas Rainder, Margaret Parker widow, Robert Atkinson, Thomas Kinge and Isabella Kinge widow, of Ellington, for the like.

Anthony Robinson, for working on the Sunday, in time of divine service.

The wife of George King, Alice Peake spinster, of Massam, Jane Wivell widow, John Wharton gent. and Catherine his wife, William Wivell, Robt. Mitchell, Francis Thwaites, Margaret Danbie, William Staveley, Ann Jackson, Ann Madderson widow, of Burton, presented for Recusants.

Dorothy Brunton widow, John Adamson and his wife, William Theakston and his wife, John Smith, John Clarke and his wife, the wife of Thomas Gowland, Ann Norton, Dorothy Ward widow, William Baker, John Adamson of Swinton, for the like.

Dorothy Johnson widow, Marmaduke Atkinson, Robert Ward and his wife, Richard Atkinson, —Atkinson widow, Ellen Atkinson, —the wife of Humphrey Baine, Maria the wife of Peter Hanley, Robert Jackson, Peter de Pott, Edward Paley and his wife, Lambert Warde and his wife, of Ilton and Moorheads, for the like.

Francis Warde and his wife, and —Kinge widow, for the like.

Mabel Clarke, Robert Theakston and Ann his wife, Barnabas Jackson of Healey, William Wintersgill and his wife, Elizabeth the wife of Michael Bowes, and James Gleadson of Ellington, for the like.

Christopher Mankin, for fornication with Dorothy Chambers.

Thomas Theakston, for fighting and brawling in the church.

Francis Lambert of Ilton, and Bridget Heywood of the parish of Kirkby Malzeard, for a clandestine marriage.

Thomas Ascough and Elizabeth Hutchinson his reputed wife, of the Parish of Massam, for a clandestine marriage.—Excommunicated.

Lancelot Edon [of Kirkby Malzeard Parish], for kneelinge at the Cross, * in the way as they carried a *goast* to the church, notwithstanding he was wished by John Buckle to forbear the same.—Excommunicated, afterwards dismissed.

At a Court held in Kirkby-Malzeard Church 13th of May, 1635, before Gilbert Horsman.

John Winde, Alice Peake, Elizh. the wife of George Kinge, and Barnabas Jackson of Massam, presented for Recusants.

John Adamson and his wife, Margaret his daughter, John Smith, George Jackson and his wife, William Theakston and his wife, for the like.

Ann Gowland, Mary Gowland widow, John Clarke and his wife, Ann Norton, the wife of John Slater, Elizh. the wife of William Baker, Ann Pickering, Ann Madderson widow of Swinton, for the like.

Robt. Wood and his wife, Marmaduke Atkinson, Richard Atkinson, —Atkinson widow, Lambert Wayd and his wife, Francis Wayd and his reputed wife, Elizh. Kinge widow, Thomas King and his wife, Robert Jackson, Robert Theakston, Marjery Clarke, Edward Paley and his wife, Peter Pott of Moorheads, for the like.

James Gleadston and his wife, Thomas Thwaites of Ellington, William Wintersgill and his wife, the wife of Michael Bowes of Fearby, Jane Wyvell widow, Margaret Danbie, Catherine the wife of —Wharton, Robt. Mitchell, Alice Wray, Lucy the wife of Anthony Thwaites, John Wharton, gent., Francis Thwaites of Low Burton, for the like.

Dorothy Awton of Swinton, and Alexander Thwaite of Swinton, for committing fornication together.

John Judson and Margaret the wife of Robert Jackson, upon a common voice and fame of committing adultery together.

Thomas Allanson of Ilton, and Margaret the daughter of Anthony Horsman of Ilton, for standing excommunicate these three years last past for committing fornication, and have not done their penance.

Thomas Watson of Swinton, and John Reanger, for being at an unlawful marriage of James Hunton of Swinton, and Jannet Walker, her former husband being yet living.

James Hunton and Jannet Walker, for marrying together, the husband of the said Jannet Walker being yet alive.

Isabella Milner of Swinton, widow, for harbouring of Dorothy Aughton spinster, and suffering her to bear a child in her house, begotten in her house, begotten in fornication, and suffering her to depart unpunished.

The churchwardens, for not seeing that the statute, by which there is *xiii*d. forfeited for everie one that is absent from the church, is put in operation.

At a Court held the 2nd December, 1635.

John Wharton of Low Burton, George Jackson of Swinton, Robert Wood of Moorheads, Francis Wayd of Moorheads, Recusants, for not bringing or causing to be brought, their children to be baptized at their parish church.

Thomas Gray, for positively refusing to come to the church to be instructed in the catechism.

Edward Buckshaw and Ann his wife of Massam, living asunder contrary to law, and for standing excommunicate.

Anthonie Boddie of High Ellington, for a blasphemous swearer.

Margaret Gray of Massam, spinster, for committing fornication, as she saith, with Christopher Dodsworth of the Low Maines, bachelor.

Ann Gill of Moorheads, for committing fornication, as she saith, with Thomas Imeson of York.

William Wintersgill and Jane his wife, for common suspicion of fornication before they were married.

William Gray and Edward Mitchell of Massam, Thomas Rinder, Robt. Atkinson, Robert Dickenson, William Cowper, Matthew Thwaites of Ellington, Thomas Askwith, William Browne of Ilton, and John Scowthorpe of the same place, for not paying their 'sessments.

Thomas Askwith, Thomas Foster and James Gleadston of Ellingstring, Lambert Wayd and Humphrey Toller of Healey, Christopher Lodge of Massam, for the Corne-milne of Swinton, Jo. Lucas of Massam, for the cloth mill in Swinton, and John Clarke, for not paying their 'sessments.

Elizh. the wife of George Kinge, John Winde, Alice Peake 'spinster, Ruth the wife of Stephen Wintersgill, Barnabas Jackson of Massam, Jane Wyvell widow, Edward Wyvell, Margaret Danby singlewoman, Robert Mitchell and Alice Wray his reputed wife, Francis Thwaites batchelor, Ellen Horsman, Jo. Wharton gent. and Catherine his wife, Lucy the wife of Anthony Thwaites, presented for Recusants.

John Adamson and Margaret his wife, Anthony his son and Margaret his daughter, John Smith, George Jackson and William Theakston and his wife, — Gowland widow, John Clark and his wife of Swinton, Elizh. the wife of William Baker, Ann Pickering spinster, Ann Matterson widow, Thomas Harrison and Catherine his wife, of Wardermarske, for Recusants.

Robt. Wood and his wife, Marmaduke Atkinson, Richard Atkinson, — Atkinson widow, the wife of Humphrey Baine, Francis Wayd and his wife, Dorothy Johnson of Ilton, widow, Peter Barker, Edward Ryley and his wife, Robert Beck of Healey and his wife, Elizh. the wife of Michael Bowes, Mabel Clarke widow, William Wintersgill and his wife, of Fearby, James Gleadston and his wife, Thomas Thwaites, for the like.

John Nelson of Ellingstring, for living with his reputed wife, but whether they be married or no it is not known.

At a Court held in Massam Church on the 12th of April, 1636, before Edward Watkinson, LL.D.

Thomas Hodgson curate, and Marmaduke Miller, Francis Howe, Thomas Buckell, and Francis Theakstone, churchwardens of Massam, for not having their churchyard wall in so good repair as it ought to be, as likewise for not having a poor's man's box, and for not making their stalls uniform.

John Wharton of Low Burton, gent., Recusant, for not suffering three of his children, born in the parish of Massam, to be brought to the church to be baptized.

Robt. Mitchell of Low Burton, George Jackson of Swinton, Robert Wood of Moorheads, Francis Wayd of Moorheads, Robert Jackson of Sowermyre, for the like.

Margaret the wife of Christopher Johnson of Ilton, for stubborn refusal to live with her husband.

Edward Mankin and Ann the daughter of Robert Plewes, of Sutton, for committing fornication together.

Christopher Doddsworth of Low Maines, and Margaret the daughter of William Gray of Massam, for committing fornication together.

Anthony Boddie of High Ellington, for a blasphemous swearer.

John Wind, Elizabeth the wife of George Kinge, Catherine the wife of Stephen Wintersgill, Barnabas Jackson, Dorothy Jackson, and Dorothy Jackson of Massam, John Wharton gent., and Catherine his wife, Robert Mitchell and Alice his wife, Lucy the wife of Anthony Thwaites of Burton, Jo. Adamson and Margaret his wife and Anthony his son, and Margaret the daughter of William Theakston and his wife, John Clarke and his wife,—Gowland widow, Elizabeth the wife of William Baker, Ann Pickering, Thomas Harrison and Katherine his wife, presented for Popish Recusants.

Robert Wood and his wife, Richard Atkinson, Marmaduke Atkinson, —Atkinson widow, —the wife of Humphrey Baine, Lambert Wayd and his wife, Francis Wayd and Alice his wife, Robert Jackson, Peter—de Leighton (cognomen unknown), Edward Paley and his wife, —the wife of William Kinge of Moorheads, Robert Theakston and his wife of Healey, William Wintersgill and his wife, Elizabeth the wife of Michael Bowes of Fearby, James Gleadston and his wife, Thomas Thwaites of Ellington, for the like.

Robert Boddie, William Gray, Edward Mitchell, Richard Beckwith, John Beckwith, Richard Bridgewater, Christopher Beckwith, and Robert Topham, of Massam, for refusing to pay their 'sessments.

Christopher Lodge of Massam, for not paying his 'sessment of Swinton Corn-mill, John Lucas of Massam, for the Walke-mill at Swinton, William Theakston, John Clarke, —Hodgson widow, —Theakston widow, John Awton of Swinton, for not paying their 'sessment.

William Horner, Ann Scott, Christopher Kinge, Janet Johnson widow, William Cowper, William Gleadston, Richard Boddie, Robert Atkinson, and —Williamson, Margaret Williamson widow, Thomas Jackson, Robert Dickenson, Christopher Dickenson of the City of York, George Dickenson and Thomas Runder of Ellington, for the like.

John Ebdon of Ellingstring, for suspicion of incest with his wife's sister about Christmas last, he being found "*Solus cu sola nudus cu nuda.*"—not cited.

At a Court held the 9th May, 1637, before Edward Watkinson, LL.D.

—Page, for teaching schollars at Healey, without license.

George Haxwell of Wardermaske and Elizabeth Johnson of Ilton, spinster, for suspicion of fornication or adultery together, for they were watched into an out-house in the fields at an unlawful time in the night.

Richard Harrison of Massam, and Jane Patrick, upon common voice and fame of committing adultery together.

William Mankin of Sutton, and Alice his wife, for committing fornication before they were married.

William Gray, Edward Mitchell, Robert Beckwith, Christopher Kinge, Jannet Johnson, William Cowper, Ralph Durham, William Gleadston, Richard Boddie, Robt. Atkinson and William Williamson, Thomas Jackson,

Thomas Rynder, Christopher Lodge, John Lucas, Jo. Clarke, —the wife of Hodgson, Robert Bennett, Margaret Walker, Thomas Morris, Robert Jackson, Thomas Smurthwaite, Lucy—, Christopher Morley, John Bowes, —the wife of Hodgson, —the wife of Theakston, Richard Boddie, Robt. Atkinson, Thomas Jackson, James Gleadston and John his son, for detaining their 'sessments.

Jo. Hebden and his wife, for bearing manure on the Sunday to manure their ground.

Robt. Smurthwaite of Nutwith Cote, for fornication with Anne Barnistone, of the same.

Thomas Hanley, for committing fornication or adultery with Alice Scott, wife of Robt. Scott of Brearey Bank.

George Theakston of Pickersgill, for committing fornication or adultery with the said Alice Scott.

Gilbert Horseman vicar, for not haveing the vicarage house in sufficient repaire, and for not readinge the Book of Canons yearly—for not wearinge a hood—for not publishing his Majesty's Proclamation.—*Promised to be done.*

Gilbert Horseman, clerk parochial, for reading prayers, and takeing upon him the office of a curate without authoritie or any lawfull licence or dispensation in that behalf obtained.—*Suspended, but afterwards restored.*

At a Court held the 20th March, 1637.

Gilbert Horseman, vicar of Kirkby Malzeard, for not reading prayers upon the eves of Sundays and Holy days—for not reading the Letany and other prayers upon Wednesdays and Fridays.

Gilbert Horseman and Francis Ripley, for not tolling the bell for prayers upon Wednesdays and Fridays.—Excommunicated.

At a Court held in Kirkby Malzeard Church the 12th Sep. 1637, before Edward Watkinson, LL.D.

William Browne of Ilton, gent., for refusing to pay two several 'sessments for the repair of the church, which amounted to the sum of 3s. 6d.—Excommunicated.

John Hodgson of Massam, for a blasphemous swearer, and after reproof of the same did still continue and refused to be admonished.

Robert Hodgson, for a common drunkard and profaner of the sabbath.—Excommunicated.

The same Robert Hodgson, for fornication with Jane Carter.—Excommunicated.

William Kinge of Sowermire, for a negligent comer to his parish church.—Excommunicated.

John Cooke, and Alice Chapman, for comman drunkards.

John Wind, Alice Peake spinster, Elizabeth the wife of George Kinge, Catherine the wife of Stephen Wintersgill, Barnabas Jackson and Dorothy Jackson of Massam, for Popish Recusants.—Excommunicated.

Jane Wyvell widow, Ann Williamson spinster, Catherine Wharton, gent., Henry Atkinson, Lucy the wife of Anthony Thwaites of Burton Township, Popish Recusants.—Excommunicated.

John Dawson and Margaret his wife, Margaret Adamson spinster, Anthony Adamson, William Theakston and his wife, John Clarke and his wife, George Jackson and his wife, Thomas Harrison and his wife, John Smith and his wife, Ann Gowland, Peter Petcher and Elizabeth his wife, William Baker of Swinton, for popish Recusants.—Excommunicated.

Humphrey Towler and his wife, Lambert Wayd and his wife, Francis Wayd and Alice his wife, —Atkinson widow, Richard Atkinson, Robert Ward and his wife, Marmaduke Atkinson, Peter Leighton, Robert Jackson and his wife, —Kinge widow of Moorheads, for Popish Recusants.—Excommunicated.

Thomas Thwaites, Robert Jackson and his wife of Healey, for Popish Recusants.—Excommunicated.

William Wintersgill and his wife, and Elizabeth Bowes the wife of Michael Bowes of Fearby, Popish Recusants.—Excommunicated.

James Gleadston of Ellington, for a Popish Recusant.—Excommunicated.

Christopher Pickersgill, Thomas Bridgewater, Ralph Horseman and Jo. Turner churchwardens of Massam, for neglecting to present Robert Hodgson, for committing fornication with also William King of Sowermire, for a negligent comer to his parish church.

At a Court held at York Minster the 16th Nov. 1637, before E. Burton.

Gilbert Horseman, for not having the vicarage house in sufficient repairs, and for not reading the Book of Canons yearly, for not wearing a hood, for not publishing His Majesty's Declaration.—*The Judge adjudged "The said Mr. Horsman to certify the supply of these defects, &c."*

At a Court held at York Minster the 24th Nov. 1637, before E. Burton.

Sentence of suspence was pronounced against Mr. Horseman on the above presentment.

At a Court held at Massam Church the 20th March, 1638, before E. Burton.

Thomas Hodgson curate, Christopher Pickersgill, Thomas Bridgewater, Ralph Horsman and John Turner, churchwardens of Massam, for not having a covering of silk or other convenient stuff for the communion table, and for wanting a pott of pewter or purer metal for the wine upon the communion table.

Mark Smith of Fearby, for teaching schollars without a licence.

Thomas Slaiter, schoolmaster at Ellingstring, for teaching scholars without a licence, and for standing excommunicate.

Elizabeth Atkinson of High Ellington, for living from her husband.

Robert Hodgson of Fearby, for fornication with his wife before marriage.

Edward Williamson and Frances Masterman, for committing fornication together.

Thomas King of Ellington, and Jane the wife of George Dickenson, for a common voice and fame of committing adultery together.

Robert Theakston of Massam, and Beatrix Mankin, for committing adultery together, and for standing excommunicate five years.

John Smith of Swinton, and Francis Wayd of Moorheads, Popish Recusants, and for having divers children christened with a Popish Priest.

Margaret Adamson the wife of John Adamson, of Swinton, for looking [weeding] of corne on the Sabbath-day in summer last; she being rebuked for so doing, answered she was better employed than they that went to church to pray.

Ellen Horner of Low Ellington, and Thomas Place, for having taken possession of, and occupied the chapel at High Ellington.

Christopher Hanley of Eshe-head, and Isabella King his reputed wife, for being clandestinely married together.

At a Court held in Kirkby Malzeard Church the 9th October, 1638, before Richard Darnton, M.A.

Thomas Hodgson curate, and Jo. Marshall, William Smith, Tho. Ward and George Thwaites, churchwardens of Massam, for not making the stalls uniform in the body of the church, and those places flagged which are awanting—for not providing a cloth of green with silk fringe for the communion table, as also a pott or flaggin of pewter for wine when there is a communion.

Anthony Jackson, for absenting himself on the Lord's-day from the church, and after being admonished by the churchwardens did refuse to come.—Excommunicated.

Edward Paley and his wife, Charles Younge, Robert Theakston, — the wife of Humphrey Bayne, Eliz. Bell, —Thexton widow, William Wintersgill senr. and his wife, William Wintersgill junr., and Mabel Clarke widow, for Popish Recusants.—Excommunicated.

John Hawton of Fearby and —the wife of Seth Wrigglesworth, for committing the crime of adultery together.—Excommunicated.

At a Court held in Massam Church on the last day of February, 1638, before Henry Ferne, M.A.

George Askwith and Frances Slater, the daughter of Thomas Slaiter of Ellingstringe, for committing fornication together.—Excommunicated.

Richard Johnson and Marjery Johnson, widow, for committing fornication together.—Dismissed.

Thomas Shaw and Margaret Smorthwaite, the daughter of Robert Smorthwaite of Healey, for committing fornication together.—Excommunicated.

Robert Dawson and Ann Awton *alias* Dawson, for living together in incontinence.—Dismissed.

John Marshall, churchwarden of the parish of Massam, for profaning the Sabbath-day in time of divine service, and suffering his servants to the mill for corn upon Candlemas-day.—Dismissed.

John Lofthouse, for grinding of corn upon Candlemas-day last.

Christopher Watson and Maria Atkinson, for committing fornication together.—Excommunicated.

John Wharton gent., and Catherine his wife, George Jackson, Francis Wayd and Robt. Wayd, for not having their children baptized at their parish church.—Excommunicated.

Christopher Ward of Massam, for not paying of five several 'sessments to the church, which amount to the sum of 5s. 3d.—Excommunicated.

Dorothy the wife of James Dodsworth, for not paying his 'sessment to the church, which is 7d.—Dismissed.

George Hawkeswell of Wardemaske, for not paying his 'sessment in Massam, amounting to the sum of 8d.

The same George Hawkswell, for not paying his 'sessment in Swinton, amounting to the sum of 1s. 8d.

Thomas Smorthwaite, for not paying 2d. for his 'sessment.—Excommunicated.

Robt. Atkinson, for not paying his 'sessment to the church, amounting to 2s. 4d.—Excommunicated.

William Browne, for not paying his 'sessment to the church, for Ellingstring, amounting to 4d.—Excommunicated.

The said William Browne, for not paying his 'sessment for Ilton, amounting to 2s. 1d.—Excommunicated.

Thomas Foster, for not paying his 'sessment, being 3d.—Excommunicated.

Thomas Theakston, for not paying his 'sessment, being 11d.—Dismissed.

Wm. Ripley, for not paying his 'sessment, being 10d.— Do.

John Watson, for not paying his 'sessment, being 4d.— Do.

Robt. Atkinson, for not paying his 'sessment, being 2s. 4d.— Do.

Ralph Durham, for not paying his 'sessment, being 7d.— Do.

Thos. Runder, for not paying his 'sessment, being 4s. 2d.—Excommunicated.

Robt. Bennett, for not paying his 'sessment, being 3s. 8d.—Excommunicated.

Thos. Norris, for not paying his 'sessment, being 7d.—Excommunicated.

Robt. Jackson, for not paying his 'sessment, being 22d.—Excommunicated.

Humphrey Towler, for not paying his 'sessment, being 22d.—Excommunicated.

Lambert Wayd, for not paying his 'sessment, being 15d.—Excommunicated.

Wm. Atkinson, for not paying his 'sessment, being, 5s. 4d.—Excommunicated.

John Awton, for not paying his 'sessment, being 5d.—Dismissed.

John Lofthouse, for not paying his 'sessment, being 4s. 10d., for Swinton mill.—Excommunicated.

John Lucas, for not paying his 'sessment, being 2s. 5d., for the Walkmill.—Excommunicated.

Jane the daughter of Marjery Slaiter, for committing the crime of fornication.—Excommunicated.

At a Court held the 9th October, 1638.

Frances Walker wife of Francis Walker, of Grewelthorpe, for assumeing to herselfe that she could tell of goods that were lost, and using such like unlawful inchantment. *

At a Court held in Kirkby-Malzeard Church the 3rd Sep. 1639, before John Sagg, M.A. [curate there].

John Marshall, Wm. Smith, Thomas Wardle, and George Thwaites, churchwardens of the church of Massam, for not making their present accounts of office.—Dismissed.

John Scott and Jane Smith, for committing fornication together.—Excommunicated.

Ann Williamson the wife of Lawrence Williamson, for not receiving the holy communion at Easter last.—Excommunicated.

Ann Ollithorne of Massam, for committing the crime of adultery with Anthony Fawber.

Christopher Walker and Margaret Awton, for committing the crime of fornication together before marriage.—Dismissed.

Robert Fisher, for hedging upon the sabbath-day, and mending of shoes.—Dismissed.

Robt. Pickersgill and Ann Ollithorne, for living in fornication together.—Dismissed.

John Wind, Elizabeth the wife of George King, Stephen Wintersgill and Catherine his wife, and Alice Peake, of Massam, for Popish Recusants.—Excommunicated.

John Adamson and his wife, John Smith and his wife —Theakstone widow, —Clarke widow, Ann Norton gen., Isabella Watson, and —Hodgson widow, Elizabeth the wife of William Baker, George Jackson and his wife, of Swinton, for Popish Recusants.—Excommunicated.

Magdalen Jackson, —Atkinson widow, Marmaduke Atkinson, Lambert Wayd and his wife, Francis Wayd and his wife, Robert Jackson and his wife, Elizh. King widow, of Ilton and Moorheads, for Popish Recusants.—Excommunicated.

* This district was at this time much troubled with persons assuming to be "wise-men" and "wise-women." Their wisdom, however, consisted solely in getting as much money as they could out of the poor deluded creatures who where so silly as to require their aid. *Anne Greene*, one of this fraternity, was brought before the magistrates on a charge of witchcraft, when she made the following defence, which I copy from Mr. Raine's "Depositions, &c., from York Castle."—" *Anne Greene* saith that she sometimes useth a charme for curing the heart-ache, and used itt twice in one night unto John Tatterson of Gargreave, by crosseing a garter over his eare and sayeing these words 'Boate, a God's name' 9 times over. Likewise for paines in the head, she requires the water and a locke of their heire, the which she boyles together, and afterwards throwes them in the fire and burnes them; and meddles not with any other diseases." Her *modus operandi* although certainly somewhat complicated, could not be otherwise than harmless. In 1656, William and Mary Wade of Studley, were prosecuted for witchcraft practiced by them upon Miss Elizabeth Mallory of Studley-hall, near Ripon.

Elizabeth the wife of Michael Bowes, Wm. Wintersgill and his wife, of Fearby, and James Gleadston of Ellington, for Popish Recusants.—Excommunicated.

Jane Wyvell widow, Catherine the wife of John Wharton gent., Henry Atkinson, Lucy the wife of Anthony Thwaites of Burton-upon-Yore, for Popish Recusants.—Excommunicated.

George Theakston of Pickersgill, for a negligent comer to his parish church.—Excommunicated.

William Johnson of Healaugh, for working at hay upon St. James' day at the time of Divine service, and being rebuked for the same, said he was better employed than they that were at church.—Dismissed.

John Hanley and his wife, of Moorheads, for negligent comers to their parish church.—Excommunicated.

George Gibson and his wife, for washing of clothes upon the Lord's-day.—Dismissed.

Thomas Jackson of Ellingstring, for keeping unlawful company in his house on the Lord's-day.—Excommunicated.

Robert Render of Ellingstring, for a negligent comer to his parish church.—Dismissed.

At a Court held the 3rd Sep. 1639, at Kirkby-Malzeard, before Mr. Sagge.

Robert Barker, at Coulthouse, for harbouring of Mr. Boyes, a popish priest.—Excommunicated.

Ann Gill widow, and Elizabeth the wife of George Frear, for resorting to the said Boyes.—Excommunicated.

At a Court held in Kirkby-Malzeard Church on the 16th Dec. 1639.

Robt. Awton, Thos. Kilburne, churchwardens of Masham, for not finishing the churchyard wall of Masham.

Brian Clarke *alias* Ripley, for teaching school without a license.

Jane Robinson, for working on the sabbath-day.—Excommunicated.

Ellen Moore, for absenting herself from her parish church upon sundays and holidays.—Excommunicated.

Richard Kendall and Margaret Horseman, for a fame of fornication together.—Excommunicated.

Thomas Runder, Robt. Atkinson, Robt. Williamson, John Tooler, Ralph Brandsby, Thomas Ryder, and Robt. Watson, for not paying their monies for bread and wine, being 4*d.* a year.—Excommunicated.

Thomas Norris, for not paying his 'sessment for the parish church.—Excommunicated.

Humphrey Tooler, for not paying his 'sessment.—Excommunicated.

Henry Watson, for not paying his 'sessment, being 5*d.*—Satisfied the churchwardens.

Wm. Wintersgill, for not paying his 'sessment.—Excommunicated.

Ann Hodgson widow, of Swinton, for not paying her 'sessment.—Excommunicated.

Thos. Tanfield, for not paying his 'sessment.—Excommunicated.

Wm. Browne, for not paying his 'sessment.—Excommunicated.

John Binckes, for not paying his 'sessment.—Excommunicated.

——Bennett widow, for not paying her 'sessment.—Excommunicated.

William Gray, for not paying his 'sessment.—Excommunicated.

Ralph King and his wife, of Potts, and Simon Hanley of the same place, for not receiving the holy communion thrice in the year, and for negligent comers to their parish church.—Dismissed.

Richard Hanley of Moorheads, Thomas Ballan of Ellingstring, and William Johnson of Healaugh, for not receiving the holy communion thrice every year, and for negligent comers to the church.—Dismissed as to Hanley, and Johnson and Ballan excommunicated.

John Ringer of Swinton, for carrying cloth usually on the Lord's-day, in time of Divine service.—Excommunicated.

Francis Fawber of Kirkby-Malzeard, for committing adultery with Phillis Fothergill.

Janet Burniston [of Kirkby-Malzeard parish], for carrying a dead man's skull out of the churchyard, and laying it under Christopher Head, thinkeing therewith to charme him asleep.—The Judge in dismissing her "admonished her to bring the said skull into the churchyard again."

At a Court held in Massam Church 19th May, 1640, before John Sage, M.A.

Roger Danby, and Ann Norton his reputed wife, for being unlawfully married together.—Excommunicated.

William Porter, Thomas Harrison, and William Ripley, the churchwardens of Massam, for not exhibiting their Registers of christenings, weddings, and burials within the said parish.—Dismissed.

John Chambers and Dorothy Bennett, for being unlawfully married together.—Excommunicated.

William King and Lucy Watson, for a fame of committing the crime of fornication together.—Excommunicated.

Francis Dickenson of Ellington, for selling the bell belonging to the chapel of Ellington, and other ornaments, and for a negligent comer to the church.—Excommunicated.

John Cornforth of Ellington, for not providing bread and drink for the perambulation, according to custom.—Excommunicated.

Marmaduke Loftus [of Kirkby-Malzeard parish], for making water against the churchyard.—Excommunicated.

At a Court held in Kirkby-Malzeard Church the 12th Dec. 1640, before Wm. Loe, B.D.

Robert Jackson, for not christening his child at his parish church.—Excommunicated.

John Wharton, for not christening his child at his parish church.—Excommunicated.

Christopher Hebden, for walling on the sabbath day.—Excommunicated.

Robt. Punder, for not coming to church monthly.—Excommunicated.

Thomas Norris, for not paying his 'sessment.—Excommunicated.

Peter Toller, for not paying his 'sessment.—Excommunicated.

Lambert Wayd, Robert Jackson, Ann Hodgson, John Chambers, William Browne, Thomas Punder, Robert Atkinson, and Thomas Jackson, for not paying their caste or 'sessment.—Excommunicated.

William Browne, Thomas Norris, Thomas Punder, John Toller, William Wintersgill, Ann Hodgson, John Chambers and his wife, Jane Robinson, Robt. Williamson, Lambert Wayd, Francis Wayd, John Bincke, and John Ringer, for standing excommunicate.—Excommunicated.

Leonard Walker and Joana Fawconbridge, for fornication.—Joana Fawconbridge excommunicated.

At a Court held at Kirkby-Malzeard Church the 8th June, 1641, before John Sage, M.A.

Thomas Foster, for not paying his 'sessment for bread and wine, being 4*d*.—Excommunicated.

Thomas Burrall, for not paying his 'sessment for bread and wine, being 4*d*.—Excommunicated.

Thomas Smurthwaite, for not paying his 'sessment for bread and wine, being 4*d*.—Excommunicated.

Jane Robinson, Thomas Punder of High Ellington, Robt. Atkinson, Robt. Williamson, John Toller, Ann Hodgson, and John Bincke, for standing excommunicate.—Excommunicated.

Stephen Wintersgill and Catherine his wife, of Massam, John Wynd, Alice Peake, William Wintersgill and Isabella his wife, Elizabeth the wife of Michael Bowes, Edward Ryley and his wife, Robert Theakston and Ann his wife, Francis Wayd and Alice his wife, Robert Jackson and his wife, Robt. Scott and his wife, Maria the wife of Charles Younge, William Kinge, James Gleadston and his wife, Robt. Ward and his wife, —the wife of Humphrey Bayne, Elizabeth Atkinson widow, —Walker, John Smith, his wife and son, Ann Theakston, Simon Pickersgill and Ann his wife, of Swinton, John Ringer, the wife of Thomas Watson, John Adamson and his wife, Anthony Adamson, John Adamson, Henry Adamson, Margaret Adamson, Richard Adamson, Widow Milnes, Maria Gowland, Thomas Harrison and his wife, of Rowmore, George Jackson and his wife, Agnes Clarke, Widow Wood, Jane Wyvell, Henry Atkinson, Ellen Horseman, Ellen Morley, Ann Elley, Lucy the wife of Anthony Thwaites and Beatrix their daughter, John Aiscough, Lambert Waid and his wife and their daughter, Anthony Waid, the wife of William Kinge, for Popish Recusants.—Excommunicated.

At a Court held in Massam Church on the 15th Dec. 1641, before John Sage, M.A.

The wife of William Kinge of Sowermire, for a Popish Recusant. *

* The following additional list of Popish Recusants within the parish of Masham, is taken from Mr. Raine's "Depositions from York Castle," which he says, in a note, are made from lists

Lambert Waid, for not paying his 'sessment, being 6*d*.

Robert Scott of Ellington, for not paying his 'sessment, being 6*d*.

Thomas Wilson, Thomas Gillam, Peter Toller, Francis Lofthouse, Francis Glewe, Thomas Allan, and Robert Scott, for not paying their 'sessments and keeping 'sessments in their hands.

At a Court held in Massam Church on the 15th Oct. 1688, before Benjamin Browne, Vicar of Kirkby-Malzeard, official, &c.

[There are no entries of any business done at this or at any subsequent Court].

prepared by the village Constables and forwarded to York. It will be seen that these lists are subsequent in point of date to those mentioned above.

" March 25th, 1664.—*Ilton cum Pottoe*.—Robert Thomas, and John Ward, Ann and Elizabeth Ward spinsters, Richard King and Elizabeth King his wife, Richard Handley.—*Swinton-cum-Warthermaske*.—Anthony Adamson, Henry Adamson and Elizabeth his wife, George Jackson and Frances his wife, Symon Pickersgill and Mary his wife, Wm. Smith and Alice his wife, John Smith and Alice his wife, Ann Thwaites spinster.—*Massam*.—Jane Bridgewater widow.—*Ellington*.—William Thwaite, Wm. Body spinster.—*Ellingstring*.—Jane Smorthwaite spinster.—*Fearby*.—Edward Ryley and Isabel his wife, John Ryley.—*Healey-cum-Sutton*.—Anthony Wade and Jane his wife, Francis Wade.—*Burton-super-Ure*.—Roger Beckwith, Esq., Isabel Beckwith spinster."

" July 6th, 1669.—*Healey-cum-Sutton*.—Anthony Wade and Jane his wife, Dorothy Jackson widow.—*Fearby*.—John Ryeley, Isabel and Mary Ryeley, Eliz. Bowes.—*Ellington*.—Thomas Hayton, —Blackburne widow.—*Ilton-cum-Pott*.—Robert Warde, John Warde, Ann and Jane Warde spinsters, Humphrey Baine and Susannah his wife, Richard King and Dorothy his wife, Richard Hanley.—*Burton-super-Yore*.—Marmaduke Beckwith and Elizabeth his wife, Wm. Beckwith."

" July 8th, 1670.—*Ellington*.—Thomas Hayton and Hannah his wife, —Blackburne, Anne and Matthew Scott.—*Firby*.—John and Sabil Ryley, Eliz. Bowes.—*Swinton*.—Henry Adamson and Eliz. his wife, Anthony and Margaret Adamson, George Jackson and Frances his wife, George Jackson and Ellen his wife, John Smith, Thomas Smith and Sarah his wife, Wm. Smith and Alice his wife.—*Masham*.—Robert Lodge and Hester his wife, Jane Bridgewater widow, Thomas Bridgewater.—*Ilton-cum-Pott*.—Humphrey Bane and Susanna his wife, Richard Kinge and Eliz. his wife, Robert, John, and Thomas Warde, Richard Jackson."

APPENDIX.

E.

COPIES OF WILLS ILLUSTRATIVE OF THE HISTORY OF MASHAMSHIRE
AND THE CONDITION OF THE PEOPLE.

No. 1.

Copy Will of Christopher Wyvell, Esq., of Little or Low Burton, in the parish of Masham.

In ye name of God, Amen. I, Christopher Wyvell * of Burton Constable in the countie of York, Esquier, this presente xxvj. day of March, 1577, being of good and perfeitt remembrance. First and principallye, I geve and bequethe my sowle to Almighty God, and my bodye to be buried in my closed within ye parish church of Massam in ye said countie of Yorke, if yt shall happen me to dye ether within ye said parish of Massam, or parishe of Fyngall within ye said countie of Yorke, otherways at ye order and disposition of myne executors. Item.—My full mynd, intent, meaning, and will is, and also I do will and bequethe that my entyrelly beloved wife Margaret Wyvell † shall have during her life all my maners, messuages, houses, dove-houses, mylles, lands, tenements, and hereditaments, with ther appurtenances whatsoever, in Burton Constable and Garrison in ye said countye of Yorke, except one fermehold in Burton Constable aforesaid, which John Merman now occupieth, and also except one fermehold in Garrison which Frances Brughe now dwelleth on. And also I do geve, will, and bequethe unto ye said Marg'ret for and during her life, all my lands, tenements, and hereditaments, in Spenithorne in the said countie of Yorke, nowe in the severall tenures or occupacons of the wife of Anthonie Burgh, Richard Roweth, John Rowth, and Rauph Calvert. And also one fielde

* Christopher Wyvill was the eldest son and heir-at-law of Sir Marmaduke Wyvill, Knight, M.P., of Little or Low Burton, near Masham, by Agnes the daughter and heir of Sir Ralph Fitz Randolph, Knight, of Spennithorne, by Elizabeth his wife, one of the daughters and co-heiresses of Ralph Lord Scrope of Masham, as will be seen *ante* p. 244. He took the part of Queen Elizabeth in putting down the rebellion of 1569, whilst his eldest son took the part of the rebels, as will be seen hereafter.

† She was the daughter of the Hon. John Scrope, younger son of Henry sixth Lord Scrope of Bolton, by Elizabeth his wife, daughter of Henry Percy, Earl of Northumberland. She had by C. Wyvill four sons and two daughters, viz :—1, Marmaduke; 2, Richard, who died young; 3, Robert; and 4, Christopher; Margaret, who died 12th April, 1565, and was buried in York Minster; and Dorothy the wife of Solomon Swale.

called Litle Morefeld, and one close called Brode Inge close, in Spenithorne aforesaid: both the said closes now being in my owne occupacon. Also I geve, will, and bequethe to my said wife all my lands, tenements, and hereditaments, with th'appurtenances in Skabbed-Newton, and Thorneton in Bowlmershier in ye aforesaid countie of Yorke, to have and to hould for terme of her naturall life, in full allowance, recompence, and satisfaction of her right or tytle of dowre of, in, or to all and singuler the maners, lands, tenements, and hereditaments whatsoever within the realme of England, whereof I, the said Christofer Wivell now stand, or at any tyme heartofore during the espousalls between me and the said Marg'ret have been seased as of any estaite of enheritance, if she, the said Marg'ret, will in such maner and forme accept and tayke the same after the death of me the said Christofer. And further, I will and devise by this my last will and testament, that Robert Wyvell my second sonne shall have all my lands, tenements, and hereditaments in Swaneby in the same countie of Yorke, ass well in possession as in revercion to him and his heires for ever, unto the proper and onely use and behove of ye said Robert Wyvell, his heires and assigns for ever. And also I will and bequethe that the said Robert shall have all my lands, tenements, and hereditaments, with their appurtenances in Danbie and Thorneton Steward in the said countie of Yorke, together with all such housewoud stuff, furniture, and implements of household as I now have, or heretofore have had, at or in the mansion house of Thorneton-Steward aforesaid, and now remayne conteyned in an inventaire maid in or about such tyme as Marmaduke Wyvell my eldest sonne entred into ye said mansion house ther to dwell, to have, and to hould ye premises with their appurtenances in Danbie and Thorneton-Steward aforesaid, unto ye said Robert Wyvell for and during his naturall life onelie. Also I give, will, and bequeth to Christofer Wyvell, my third sonne, all and singuler my maners, lands, in Spenithorne aforesaid, being at the day of ye daite hearof in ye tenure or occupacion of ye aforesaid Marmaduke Wyvell, for terme of ye naturall life of the said Christopher Wyvell. And also I geve and bequethe unto the said Christofer Wyvell, all my lands in Spenithorne bequeathed to my wife for her life onelie, to have and to hould the same unto the said Christofer Wyvil my third sonne, immediatlye from and after the decease of the said Marg'ret my wife, for and during his life onelie. Also I will and bequethe that Christofer Wyvell, my brother Wyllyam Wyvell sonne, shall have one annual and yearlie rent charge of liijs. iiij*d.* out of my manner of Staynley, to be payd unto the said Christofer Wyvell yearlye during his life at two severall tearmes in the yeare, that ys to say, at ye Annunciation of our Ladie xxvjs. viij*d.* and at St. Mychaell the Arkangell, other xxvjs. viij*d.* with power to distrain. Also I will and bequeath that Francis Brough of Garryston, shall have his ferme that he sytteth on rent fre for terme of his life naturall, and after his death, to remayne unto the said Marg'ret my wife for and during her life onelie. Also I geve and bequeth to John Merman his house and his ferme that he occupieth for terme of his life, and after his death to remayne unto the said Marg'ret Wyvell my wife,

for and during her life onely. The residue of all my maners unbequethed, and the reversion of those bequethed by this my last will, I geve, will, and bequethe unto the said Marmaduke Wyvell my sonne and heire apparant. Item.—I geve and bequethe unto my wife the whole use, occupacon, and profits of ye farme and lease of ye parsonag of Fingall during her life, and for the terme of yeares yen to come, paying to Christofer Wyvell my sonne, yearlye, after he accomlishe ye age of xvij yeares, *vj*li. xiijs. iiij*d*. at two severall termes in ye yeare, yt is to say, at Martynmas and St. Marke's day, or within xx^{ti} dayes next after either of ye said feasts, and yf it fortune my said wife to dye before ye expiracon of ye said years, the residue to remayne wholly to ye said Christofer. My wife to have the use and custodie of hir childe porcon till he be xxj., and if she die, my son Christofer to be at the appoyntment of her last will. Also I give unto my afforesaid wife ye draught of oxen at Fingall, with all thinges to them belonging, for terme of her life, and so to leave them to the said Christofer Wyvell accordingly as she receyved ye same. Item.—I geve and bequethe unto Marmaduke Wyvell * my sonne and heire, ye whole use, occupacon, possession, and profits of my farme and lease of ye parsonage of Massham, and all the termes of years of and in the same to come after my deathe.—Also I geve and bequethe unto the said Marmaduke all my leases of the lordshipp of Kyrkstanley. Also I geve and bequethe to my said son Marmaduke Wyvell, my best stoned horse, viij. at Lytle Burton [Low Burton] and all ye necessities to them belonging as wayne, yockes, and teames, my iron bound carte, with all thinges thereunto belonging, and all my brewing vessells at Lytle Burton, the great chamber, the lord's chamber, ye parlour under ye lord's chamber, the haule, the butterie, and ye kytching, to be furnished as shall appeare by an inventorie mayd about the daite of this my last will and testament. Also I geve unto the said Marmaduke all my armour at Lytle

* Marmaduke Wyvill here referred to, joined the Earls of Northumberland and Westmoreland in the rebellion of 1569 so often hereinbefore referred to; and was taken prisoner, as appears by a letter from Lord Scrope to Sir W. Cecil, dated 30th Dec. By the influence of powerful friends, however, he escaped the fate which befel some of his fellow-prisoners, and not only saved his life, but obtained his liberty. The following extract from a letter from the Earl of Sussex to Sir W. Cecil, dated Hartlepool, 17th Jany. 1569, has reference to him.—“Mr. Wivell's son and heire was in the rebellion with the Earl of Northumberland his master, and is by Simon Musgrave detayned as diverse others be in those partes contrary to my sondry letters, upon some intente they have to begg them off the Q. Majestie. He is my wife's cosin, and therefore if any seke to begg him I besech you to procure his stay in the Q. Ma. handes. He hath nether landes nor goodes presently; and if it shall not please her Maj. hereafter to give him his life free, I wold rather wish for my wife's sake, it might please her Maj. to take a fyne to her self, although I payed parte of it, then to give him to be merchandized by others.”—It appears that he not only effected his escape, but that he was afterwards taken into favour, for he was knighted by Queen Elizabeth, and was created a Baronet by King James I. on the 23rd Nov. 1611. He married Magdalen the daughter of Sir Christopher Danby, Knt. (as mentioned *ante* p. 259), by whom he had a family of eight sons and two daughters. He erected in his life-time the sumptuous mural monument now remaining in Masham church, and died on the 9th Jan. 1617, aged 76 years. He was succeeded in his baronetcy and estates by his grandson Sir Marmaduke Wyvill, who was High-sheriff of Yorkshire in the 9th Charles I., and was a distinguished Royalist and sufferer, having been twice plundered by Cromwell's troops, and finally compelled to pay £1,343 as a composition for his estates.

For several generations the Wyvills were the lessees of the tithes of Masham parish, and in that character they joined Trinity College, Cambridge, in presenting to the living whenever it became vacant.

Burton. Also I geve unto the said Marmaduke one basen and eware of sylver persell gilt, tow sylver boweles with a cover persell gylt, tow sylver saltes with a cover dooble gilt. Item.—I geve and bequeth unto my doughter-in-lawe his wife, one ambling gelding. Item.—I geve unto my sonne Sallomon Swaile, * one gelding or *vli.* in moneye, whether of those bequests he is willing to have, and to my doughter Dorothe his wife *xli.* Item.—I geve and bequethe unto my brother Wylliam Wyvell, one nagg or fyve markes, whether of the said gyftes he is willing to have. And also I geve and bequethe to my brother Francis Wyvell, one nagg or fyve marks, whether of ye said gefts he is willing to have. Item.—I geve unto my sonne and heire Marmaduke Wyvell the tuic'on and bringinge upp of Christofer Wyvell † of Waleworthe, with all such monie as shall appeare in a bill annexed to his father's will with *xli.* more which I geve unto the said Christofer. Also I geve and bequethe unto Christofer Wyvell of Thorneton, my dunne horse which was under strunte tayle maire. Also I geve unto Marmaduke Wyvell his brother, one bay meire called bay gyll. Also I geve to Elizabeth Wyvell *xli.* towards ye preferment of hir marriage. Also I geve and bequethe to my brother John Scrope, my brother Adrian Scrope, and to my brother Robert Scrope, every one of them, an ould ryall for a remembrance. Item.—I give to my neece Ann More *xls.* Item.—I geve to my cosing Phillis Dodsworthe ‡ *xxs.* Item.—I geve and bequeith unto every yeoman servante within my house at ye tyme of my deathe, one half-year's wage over and besydes such wages as ys due unto them at the day of my deathe. And also unto all other servants in my house as well as men as women, one quarter's wage over and besydes such wayges as are due unto yem at ye same tyme. Item.—I geve to Marmaduke Wynterskell all my hosen as well sloppes as nether stockes, all my bootes and spurres, and all my hatts, except one hatt which hath a crutch on yt, and also one fushing dublett. Item.—I geve and bequeth *xli.* of moneye to be distributed and geven in almes § for ye healthe of my soule to the most poore, nedye, impo-

* Solomon Swale, Esq., was the son of Thomas Swale by Cicely his wife, who was daughter of John Pulleyn, Esq., of Killinghall. He was the father of Francis Swale, Esq., of south Stainley, who married Anne daughter of Sampson Ingilby, Esq. (a younger son of Sir William Ingilby of Ripley), and had by her a son Solomon Swale, who was created a Baronet on the 21st June, 1660, and represented the borough of Aldborough in the Parliament which voted the restoration of King Charles II. He married Dorothy the daughter of Christopher Wyvill (the testator).

† Christopher Wyvill here alluded to, was the eldest son of testator's brother, Sampson Wyvill of Walworth, in the county of Durham, who by his will dated the 12th April, 1568, mentions Christopher his eldest son, his son Thomas, his daughter Margaret, as also his wife Faith, and appoints Christopher Wyvill of Burton, and Nicholas Girlington of Hackforth, Esq., Marmaduke Wyvill, and Nicholas Girlington junr., gentlemen, the supervisors of his will, but commits his eldest son Christopher (here alluded to) to the charge of his Uncle (the testator mentioned in the text). The mother of this youth was Faith the daughter of Nicholas Girlington, Esq., of Hackforth; she survived her husband and re-married George the son of Henry Pudsey, Esq., of Barford.

‡ She was the daughter of the testator's aunt Dorothy Wyvill, who married Richard or Roger Dodsworth, Esq., of Thornton-Watlass, by whom she had a family of children, one of whom was Phillis Dodsworth here alluded to.

§ Although the testator took the part of Queen Elizabeth in putting down the rebellion of 1569, in which his eldest son risked his life, he was a Roman Catholic in doctrine and by profession, and consequently believed in the efficacy of the giving of alms for the health of his soul as here indicated.

tent, and lame persons dwelling and inhabiting in such places as hereafter followethe, that ys to say, in ye parishinge of Massham *vli.*, in ye parishinge of Fingall *iiijl.*, and in ye parishing of Spenithorne *xls.*, to be payd by my executors over and besydes my funerall expenses. The resydew to Marg'ret my wife, Robert and Cristopher Wyvell my tow sons, they X'rs, supervisors, my loving brother-in-lawe Henry Scrope, and my loving sonne Marmaduke Wyvell: and for the paines taking theirin, I geve to either of them tow ould ryalls for a remembrance. In witness whereof I have set my hand and seale, &c.—these being witnesses, Lanclot Rowth, clerk, person of Fyngall, &c. Christopher Wyvell. Proved 10 May, 1579, in the Archdeaconry Court of Richmond.

No. 2.

Copy Will of Margaret Wivell of Little Burton, the widow of Christopher Wyvell before named.

In the name of God, Amen. I, Margaret Wivell of Little Burton, widow, being craised of bodie, but of good and perfect remembrance, thanks be geven to God, this presente xix. daie of Auguste in the yeare of our Lorde God, 1584, and in the xxvist. yeare of the reigne of our soveraigne Ladie Elizabeth, by the grace of God, Queene of England, France, and Ireland, defender of the faith, &c., do ordeine, constitute, and make this my last will and testament in manner and forme following:—First, I geve and principallie bequeithe my soule to the blessed Trinitie and all the blessed companie of heaven, and my bodie to be buried beside my husband's, in the churche of Massham, and presentlie after my deathe tenn poundes, to be geven at that time to the poore. Item.—I geve and bequie the to my daughter Mawdlen, my french hood with all things thereunto belonginge, my stillitorie [a still] and six elle of linninge cloth. Item.—I geve and bequie the to Christopher Wivill my sonne, Marmaduke's sonne, my crosse of golde and *xvli.* over and beside all suche househould stuffe as I have delivered to his father accordinge to suche a note as I have delivered him. Item.—I geve and bequie the unto Marie Wivell, my son Marmaduke's daughter, one silver salte with a cover, one gilded spone, one dipper table clothe, one pair of linen sheetes and two pillow-beeres over and beside *vli.* I have delivede her father. Item.—I geve unto Umphrdie Wivell, Francis Wivel, William Wivell, and John Wivell, my sonne Marmaduke's children, everye one a cove. Item.—I geve to Elizabeth Wivell, my sonne Marmaduke's daughter, one brode canvaiss table clothe, one longe sewed silke quissbone over and beside *xli.* I have delivered her father. Item.—I geve and bequie the to Marmaduke Wivell my sonne Marmaduke's sonne *xxs.* over and besides *vli.* I have delivered his father. Item.—I geve and bequie the to Thomas Wivell my sonne, Marmaduke Wivell sonne *xxs.* over and besides *vli.* I have delivered his father. Item.—I geve and bequie the to my brother More *xls.*, to my sister Moore

iiij*li*. and tenn yardes of Linnen, and to everie one of my brother More sonne, xs. Item.—I geve to my nece Anne Moore, three silver spones with maiden heades, one paire of linnen sheetes, one paire of harden sheets, one table-clothe, one cubbord clothe, six table napkins, my best pillione, one whie and xiijs. for a black gowne over and besides xx*li*. and a whole bed of close I have delivered her. Item.—I geve to Margaret Moore, one mattresse, one bolster, one paire of blanketts, two coverletts, one paire of harden sheetes, two pattlothes and two smoks. Item.—I geve to my nephew Adrian * Scrope, two angells, and to eyther of his brethren one angell, and to his sister Philis xls. Item.—I will that my sonne Rob'te shall paie unto my nephew Adrian for a horse I bought of him, tenn pounds att the daie of his marriadge. Item.—I geve unto every one of my brother Adrian's children xs. Item.—I geve and bequiethe unto Salamon Wyvell my sonne, Rob'te's sonne, one silver bowle, one silver salt without cover, one trussinge bedd [a travelling bed], one foledd table, beinge boothe in the chamber where my husband and I was wont to lie, one greate chyste, two pillowes, one paire of blanketts, one coverlett, my best counterpoint. Item.—I geve to Madlen Wivell his sister x*li*. which I will that her father put forwardes to her use. Item.—I geve to Margaret Swaille one silver spone, one why [a young heifer] and ten ewes, one little white cover, one paire of lynne sheetes, one towell, one cobert cloth, vij. napkins over and besides x*li*. I have alredie delivered to her mother. Item.—I geve unto my brother William Wivell vi*li*. which he oweth me in money. Item.—I geve to X'for his sonne xxs. Item.—I geve unto my brother Francis Wivell xs. Item.—I geve unto my cosen Elizabeth Gowse my beste clothe gowne, and to every one of her daughters xs. Item.—I geve to my cousin Phillis Tennante my velvet hat. Item.—I geve to Mrs. Alice Segiswicke xxs. Item.—I geve and bequithe unto my daughter Swaile * my silver goblett, my silver pottinger [a porringer or a little dish with ears], the trusstinge bed I lie on with all that is of it (the feather bedd and bolster onely excepted), one black coffer with all things therein, my great coffer which hathe her marke thereon, three score weathers (which my sonne Marmaduke's sonne and my sonne Robert shall deliver if there be so many remaininge in their handes att the daie of my deathe) fortie ewes, five kine and three calves, four quarters of mault, two quarters of wheate, and all the new milke house vessels unoccupied, and halfe my household stuffe, my legacies first discharged, with half my swine, poultry, and bees, or else one hundreth marks, with my silver gobblett, and my silver pottinger, and the greate coffer which hathe her marke on, to be paid within one year after my deathe, and four pounds for their blacks. Item.—I geve and bequiethe unto my son Marmaduke Wivell half my cattle and my sheepe, my legacies firste beinge paid, my best feather bed and bolster and fortie shillings for such kitching stuffe as was undelivered of my son Christopher's childe portions. And my clock, or else one hundreth markes if it please him to be delivered

* This is "the thrice noble Sir Adrian" mentioned *ante* p. 241, who was the son of her brother Ralph Scrope of Hambledon, and father of Adrian the "regicide" whose signature is attached to the death warrant of King Charles the First.—See *ante* p. 241.

* See *ante*.

within one yere next after my death. Item.—I geve unto my sonne Robt. wief my best gowne and kirtle [a tunic or jacket] and dubblett, one coffer with ii. table clothes, ii. cuberte close, ii. towells, ii. pillow beers, six table napkins, my linnbeck, ii. quishings [cushions] and fortie shillings for a black gowne. Item.—I geve Frances Burghe wife of Gareston, my best petticoate. Item.—I geve to Margaret Beckwith, my god-daughter, xls. and one whye stirk. Item.—I geve to Elizabeth Blackburne xls., one cowe, my work-day kirtle and petticoate, one matrice, one bolster, one pair of blankets, and one coverlett, one pair of harden sheets, one smock, one kerchief and one rail [a garment of fine linen formerly worn round the neck]. Item.—I geve to the residue of my maydens every one vs. and one smocke, one kerchief, and one rail. Item.—I geve to my men servants every one vs. Item.—I geve to William Winterskell vs. Item.—I geve to John Waggett and his wife, iiis. iiid. Item.—I require my sonne Marmaduke that after my burial he will call together my friends and make them a dinner at Burton Parke, and I geve for the chardge thereof tenne poundes, and if he be not in the country at that tyme, then my minde and will is, that my sonne Robert shall have the xl. and make the dinner att Thornton Steward. Item.—I geve to the poor of Massam xls., to Burton and Fingall xxs., to be distributed in Lenten after my deathe. Item.—My full minde, that if any of those legacies before bequieathed in this my laste will and testament be deliverede to any the parties afforenamed in my lief tyme, that then my executors shall be thereof acquitted and discharged. The residue of all my good debts and legacies discharged, I geve and bequieathe unto my son Robert Wivell, whome I do ordeine, constitute, and appointe my sole executor of this my last will and testament according to such uses as I have appointed.—In witness whereof I have sett to my hand and seale, the daie and yere above wrytten.

Letters of Administration of the effects of the deceased were granted by the Peculiar Court of Masham to Robert Wivell, the sole executor mentioned in the above will, he having exhibited an Inventory amounting to the sum of £351 14s. 4d., and entered into the necessary bond with Christopher Beckwith of Nutwith Cote, yeoman, as his surety.

No. 3.

Copy Will of John Laton of Snape Low Parke, in the Parish of Well.

In the nayme of God, Amen. The sexte day of Apryll, in the yere off our Lord God, M.CCCC.LVIII. I, John Laton of Snape Low Parke * I gyff unto Marjorye Laton my wyfe, such lands and tenements as I have purchased within the lordshipp and grounds att Skulterskeff and Osmoderlay,

* John Laton of Snape Low Park, was descended from a younger son of the family of Laton of Sexhowe. He was the son of William Laton who died 6 Hen. VIII., by Margaret the daughter of Thomas Montford. He married Marjery daughter of ———Dodsworth of Thornton-Watlass, by whom he left four sons and a daughter.—All his sons died childless.—See *Richmondshire Wills*.

within the Countye of Yorke, and after her dyseas the same lands and tene-ments to remayne unto John Laton my eldest son, and to his heirs for ever. And I gyf unto the said Marjery my wife, all myn hooll intreste, right, and tytle which I have for th' one halfe off an oxgang land at Newby-upon-Wyske, for terme of certayn yers yit nott expyred. And I gyf unto my said wife and to John Laton myn eldest son, and to the over-lyffer of them, all my hooll ryght, title, and intereste of all and syngler, such yerely annuities as I have att any tyme heretofore opteyned and bought of any person or persons eyther at Snape or Skampston, within the said countye of Yorke. And I wyll that the said Marjorie my wife, to have and occupie for terme of her lyfe all my fermyns, both tythes and oder which I have at Well, Tiddellfude, Est Harellssey and att Ilton in Mashamshire, and the corne tythes for the Kynge, part att Karethropp, with all maner, comodities, and profetts to them or any of them belongyng. And I gyf unto my son Christopher Laton *vli.* over and besyde his bairne part, and my best horse, and the reste of all my yers of my farmyns at Well, Ilton, and Carethropp by the fore-said, after my said wyfe disceas, and I wyll and desyre that my said son Christofer may have the maryage of Isabell Mennyll the King's ward, afore she come to xvj. years old, or ells to eyther off my two oder sones George or Herry Laton, and yf ytt chaunce ye said Isabell utterly to refuse all my said sones, then I will that her mariage be sool'ed afore her said age of xvj. yers, and the said Christopher Laton to have the full halfe thereof towards his preferment of marriage or oderwyse, and resydue of the value of her said mariage equally to be devided amongs all oder my said sones and my said wyfe. And for all maner rents and other yerely profetts comying or growing of all the said Isabellis landds to be receyved yerely by my said wiffe or her assynges, and the moyte thereof, she to retayne to her own proper use, and th' oder moyte to be dysposed and devided after her dyscereson to and emongs all oder our children. And I gyf to our younger sons George and Henry Laton *vli.* in money to eyther off them over and above ther bairn parts. And I gif to Agnes Laton my doghter *xlii.* towards her maryage and in full payment of her bayrn part. And I gyf her also *vj.* sylver spones and a fether bed wyth all things thereunto perteynyng. And I wyll she have a cove and a whie as gode in value as those were that her grandaym, my moder and her cosyn Ann Lyster * gaffe her, with resoona-ble satisfaccion for the calfs I have had of them. And I gif to John Laton my eldest son, my flowr off gold with a stone in yt and *xx.* nobles in money, besydes his bairn part. And I wyll that after my wyff's desceas, my said son John Laton to have all myn farmyns at Sidal, Est Haresley, boithes tythes and all oder. And my said wyf to pay him *xxvjs. viijd.* yerely att

* Anne Lyster (who was probably own sister to the testator's wife) was the wife of Richard Lyster, gentleman. In her will made at Masham, on the 3rd July, 1552, she directs her body to be "carded" in the church of our Lady at Masham, and leaves to Richard Beckwith "a cove called Young Allback,"—to Margaret Beckwith "iiij Kye called flowreld, old Allak, White-fote with her calf, and tagged whye with calf"—to her sister Dodisworth her best gowne and hat—to her son John's wife a pair of corall beads—to Dorothy Parker a pair of l'amber beads and a velvet patlet—to Dorothy Dodsworth her best basin and her best charger—to her daughter Beckwith her syde saddle; and mentions her brother Anthony Dodsworth.—*Richmondshire Wills*, published by the Surtees Society.

Mertilmes and Pentycost, by evyn porcons duryng tyme off her occupation of the farmyngs, or any oder person or persons. And I gyff to Isabell Menel my best mere, a fether bed, a bolster, a pair of sheets, a par blankets, ij. coverlets and a counterpoynt. I gyff unto my Lord Latymer * xls. I gyff to th' endmendmentt of the churchwarke at Well, and for my lying in the church there xs. Also I gyf to Mr. Vycar there xs. To Sir Jamys Place xld. And whereas John Dalton heretofore delyvered me v marks to kepe, which afterwards by reason of the fall of money was but xxxiijs. iiijd. which sume I wyll he be rekenyed for, and to be satisfyd thereof accordingly. The resydue to Margerye Laton my wyfe my executrix.

No. 4.

Copy Will of the Rev. George Neville, D.D., Master of Well Hospital.

In the name of God, Amen. The fourth day of September, the yere of our Lorde God a thowsande fyve hundreth threescore and seven. I, George Nevill,† Doctor of Dyvinytie, and Maister of th' 'Ospitall of Well, of an hole mynde and perfite remembrancè, makith this my last will and testament in maner and forme folowyng. First.—I geve and bequyeth my soule unto God Almyghtie my Cretor and Redemer, the whiche onely I trust in his marcy and merits of his passion to have everlastynge life after this miserable worlde, and my body to be buryed within the queyr of Well churche nye unto the old Mr. of Well, and to have a writyng gravyn above fixed upon the marbill stone ther and the old Mr. Threplande ‡ name ther on also. Item.—I geve and bequyeth unto the churchewarke of Well vj*li.* xiijs. iiij*d.* Item.—I geve and bequyeth unto the parishe of Spoforde xx*li.*—to the parishe of Well xx*li.*—to the parishe of Bolton xx*li.*—to the parishes of Sawgill and Morland xx*li.*, and to the pareshe of Burton Latymer xx*li.* Item.—I geve unto Sir Henry Percy§ and my lady his wife and Thomas ther son, my godson,

* John Lord Latimer of Snape, who married Lucy daughter of Henry Earl of Worcester, by whom he left four daughters and co-heiresses, and died on the 22d of April, 19 Eliz.—*Ibid.*

† George Neville (the testator) was the thirteenth child and seventh son of Richard Lord Latimer by Anne daughter of Sir Humphrey Stafford of Grafton in Worcestershire, having been born on the 29th July, 1509. He was also brother to Elizabeth the wife of Sir Christopher Danby, Knight, mentioned *ante* page 254. Besides being the master of Well Hospital he held at the time of his death the livings of Spofford, Bolton, and Leake in Yorkshire, Rothbury in Northumberland, and Salkeld and Morland in Cumberland.

‡ Richard Threpland of Well, clerk, by his will dated 4 June, 1552, left 2*s.* to be distributed in alms among poor people immediately after his departure :—to his niece Janet Sympson the house in which he dwelt, and his lease of a close in Longworth, which he held of Lord Latimer—to Matilda his sister, his furred gown—to Ann Willyngson his sister, a side gown which had no lining—to John Willyson his nephew, a short gown—Sir Robert Redshaw, Sir John Rokeby, and Sir John Robynson, his curates, are the witnesses to his will, which was proved 19th July, 1552.

§ Sir Henry Percy (here alluded to) was the second son of Sir Thomas Percy, who was beheaded in 1557, for the part he took in the rebellion called “the Pilgrimage of Grace,” mentioned *ante* page 96. After his elder brother (the Earl of Northumberland) was beheaded at York in 1570, for the part he took in the rebellion, “The Rising of the North,” alluded to *ante* page 97, he became the eighth Earl of Northumberland. He was sometime governor of Norham Castle, and was also for a considerable period Captain of Tynemouth Castle. When the last mentioned rebellion broke out, he had the good sense to refrain from joining in it. He ultimately, however, be-

amongst them, in olde gold *xlii*. Item.—I geve unto Mr. Christ Wyvell * *vli*.—to Maistress Wyvell his wife *iiijli*. *vjs*. *viiijd*.—to Mr. Marmaduke Wyvell and his wief *vli*.—to the Parson of Tanfield *xls*.—to the Parson of Kyrtlyngton *xls*.—to the Vicar of Well *iiijli*. *vjs*. *viiijd*.—to Mr. Hodgeson *xls*.—to Sir William Adamson *xls*.—to Sir Rauf Smith *xxs*., and where I am lawfully possesside of one annuytie of *xlii*. *ixs*. *vd*., goynge furth of the maner of Nonmonkton, for the terme of many yeres yet endurynge, I geve, will, and bequyeth unto Antony Chaloner *xxvjs* *viiijd*., parcell of the saide annuitie of *xlii*. *ixs*. *vd*. Item.—I geve, will, and bequyeth unto John Wilsone *xxvjs* *viiijd*. parcell of the said annuytie *xlii*. *ixs*. *vd*. Item.—I geve, will, and bequyeth unto Henry Harlande *xxvjs* *viiijd*. parcell of the said annuytie of *xlii*. *ixs*. *vd*. Item.—I geve, will, and bequyeth unto the said John Lambert *xxvjs* *viiijd*. parcell of the said annuytie of *xlii*. *ixs*. *vd*. Also, I geve, will, and bequyeth unto Thomas Scrafton *xiijs*. *ivd*. parcell of the said annuytie of *xlii*. *ixs*. *vd*. Item.—I geve, will, and bequyeth unto Sir Thomas Gill *vli*. parcell of the said annuytie of *xlii*. *ixs*. *vd*., and if it fortune the saide Sir Thomas Gill, or any other of my servants above writtyn, unto whom I have geven any annuytie, to dye affore my yeres of the afforesaid an'tie of *xlii*. *ixs*. *vd*. in Nonmonkton be fynished and ended, that then the said annuities of them so deceased and deid to be distributed to the poore people within Well parishynge, to whom as shall be thought most mete by the sight and appoyntment of my executors. Item.—I geve and bequyeth unto my sead servants Antony Chaloner *xli*.—to John Wilson *xl*.—to Henry Harland *xli*.—to Antony Sympson *xli*.—to Thomas Scrafton *iiijli*. Item.—I geve unto Agnes Freer *vli*.—to Anne Key *xxs*.—to John Cooke with his wagies *xs*.—to Wynde with his wagies *xiijs*. *ivd*.—to John Brown *xxs*.—to Thomas Wade with his wages *xiijs*. *iiijd*.—to Bucele with his wages *xs*.—to Agnes Freer with hir wages *xiijs*. *iiijd*.—to Ware with his wages *xs*.—to Waynman with his wagies *xs*.—to Marmaduke Emondson *vli*.—to Robert Barkus *xls*.—to William Morland *xxs*. Item.—I geve and bequyeth unto Sir John Nevill † *xli*. and v marks for hymself. Item.—I bequyeth xx marks to be bestowide by my executors for mendynge of Briggs and hyewais. Item.—I geve unto Susan Nevill ‡ if she be lyving *iiijli*.—to Mary Nevill *xls*.—to Mr. Doctor Sygewike *iiijli*.—to the poore people at my buryall and for the

came suspected of participating in the conspiracies of Mary Queen of Scots, and after remaining for some time under the surveillance of the officers of Queen Elizabeth, he was thrown into the Tower, where, after a long and tedious imprisonment, he shot himself on the 21st June, 1585, being the seventh Earl of Northumberland, and the thirteenth member of the family of Percy who died by violent death.

He married Catherine eldest daughter of John fourth Lord Latimer, and niece of the testator, and of Elizabeth the wife of Sir Christopher Danby, Knt., by whom he left a large family.

* Christopher Wyvill, here alluded to, is the person whose will occurs *ante*.

† Sir John Neville of Liversedge, who married Dorothy, daughter of Sir Christopher Danby, Knt., and a niece of the testator, for an account of whom see *ante* page 256.

‡ Susan Neville, the fifth daughter and seventh child of Richard Lord Latimer (and niece of the testator, and of Elizabeth the wife of Sir Christopher Danby, Knt.), was born on the 28th of April, 1501, and married Richard Norton, Esq., of Norton Conyers, near Ripon, the "Patriarch" of the Rebellion of 1569, so often before alluded to. He, with most of his family, having joined in that ill-fated enterprize, on the failure of the insurrection were especially marked out for vengeance. Christopher Norton, however, his seventh son, was the only member of the family that

dyner xx marks.—to my executors *xli.* apeece, except those rewarded and ap-
 poynted in a bill. Item.—I geve unto Sir Henry Percy halfe the tithe
 corne of Spoford, for the delapidacions and his goodnes shewid unto me.
 Item.—I geve unto Mr. Doctor Carter *xls.* And I geve, will, and bequyeth
 unto my trusty servants Antony Chaloner, John Wilson, Henry Harland,
 John Lambert, and Thomas Scrafton, those *iiij* parts of my fermehold of
 Leake in *iiij* parts divided, whiche I have in myn owne occupacion, to have
 and to hold unto them duryng all my interest and terme of yeres in the
 same, and the *iiijth* parte thereof being nowe in the occupacion of Richard
 Danby, I geve, will, and bequyeth unto the said Richard Danby duryng all
 my interest and terme of yeres in the same. Also, I geve unto the said
 Richard Danby *xls.* Also, I geve and bequyeth unto the Lady Jefforth
 fyve marks. And I geve unto my nephos Francis Norton, John Norton,
 Edmund Norton, William Norton, George Norton, Christopher Norton,
 Sampson Norton, and Marmaduke Norton, *xli.*—to be devidid equally
 amongst them. Item.—I geve and bequyeth unto Mr. Myghell Wandisford *
xls., and to George Wandisford my godson, other *xls.* Item.—I geve unto
 my nece Mary Lambone † *liijs. iiijd.* Item.—I give unto my nepho Wil-
 liam Danby ‡ *xxli.*—to my nepho James Danby § *xx* marks, and I geve
 unto my nepho Marmaduke Danby || *xx* marks. Item.—I geve unto Sir
 Thomas Scoot *iiijli.* Item.—I will, geve, and bequyeth unto John Wandis-
 ford, clerk, Hen. Hodgeson, clerk, and Leonard Bateson, clerk, all my bokes,
 certen books whiche are called the course of Lyra, whiche I will shall re-
 mayne into the churche of Well onely excepted. Item.—I geve, bequyeth,
 and will, that my executors shall pay all such summes of money and be-
 quests as ar wrytyn and conteynynd in a cedall or bill hereunto annexed.
 The residue of all my goods, my will fulfilled by detts and legacies contented
 and paid, I geve unto Syr Henry Percy, Knyght, Richarde Norton, ¶ Crist.
 Wyvell, ** and Crist. Danby, †† Esquires. Witnesses hereof.—William Fir-
 bie, Thomas Hutchenson, John Anderson, Marmaduke Lemyng, John Pic-
 kerynge, yonger, George Neville.

Proved in the Archdeaconry Court of Richmond, on the 4th Nov. 1567,
 by Richard Norton, Chris'r Wyvell, and Christr. Danby, Esquires.

was put to death : of the others, one or two were pardoned, and the rest, together with their aged
 father, escaped abroad and died in exile.

* Michael Wandesford (here alluded to) was the fourth son of Thomas Wandesford, Esq.,
 of Kirklington, by Margaret, daughter of Henry Pudsay, Esq., of Barford. He married Isabel
 daughter of Rowland Place, Esq., of Hanlaby. The George Wandesford next mentioned in
 the will was probably the son of Michael.

† Mary Lamborne (here alluded to) was a daughter of Richard Norton before mentioned, by
 a sister of the testator. She married Henry Green, Esq., of Newby, and after his death (in 1557)
 she re-married John Lamborne, who was deeply implicated in the rebellion of 1569.

‡ Willam Danby (here alluded to) was the sixth son of Sir Christopher Danby, Knt.

§ James Danby (here alluded to) was the fourth son of Sir Christopher Danby, Knt., see *ante*
 p. 262.

|| Marmaduke Danby (here alluded to) was of Masham, and the fifth son of Sir Christopher
 Danby, Knt., as will be seen *ante* page 262.

¶ Richard Norton was the leader of the rebellion of 1569.

** Christopher Wyvill is the testator mentioned *ante*.

†† Christopher Danby is Sir Christopher Danby, Knt., mentioned *ante*.

APPENDIX.

F.

*Extracts from an old book of Accounts belonging to the Churchwardens of Masham, from A.D. 1540 to A.D. 1677. **

A.D. 1542.—Received “and gathered in the church for Rowell Candell afore the rood *xxd.*—for Rowell Eges of Masham *xijd.*” Paid “against the Assumption of our Ladye” *vj/b.* of waxe *ijs.* *vijd.*—Christopher Williamson, for making of it *vijd.*, for wyre for the clock *id.* for the Rowell *iiij/b.* of waxe *xxd.*, and for makynge of the same *iiijd.* to the Clark of Dent, for mendying and tunyng of the Organ *ijs.* to John Syxforth, for kepyng of the clock *iijs.*

A.D. 1543.—Received of John Beckwith of Swynton, for lyeing of his mother in the churche *ijs.* *iiijd.* † for the Rowell Eges of Masham, *xijd.* Paid against Easter, *xij/b.* of waxe for the serges and the Rowell, and for makynge the sayd serges, *vijd.*; for makynge the Rowell, *ij.* to John Corbryke of Petley Bridge, for *xl* stone of Leyde, *xij.* to John Smorthwayt of Hilton, for *x* stone of Leyd, *ijs.* *iiijd.* to Nycolas Plummer, for castyng of the churche rooffe, *xxs.* *vij.* to Rauf Thekston, for fetchyng half a fother of leyde from Patley Bridge, *xxij.* for meyt and drynk at Bayll Gyll, *vd.* to John Yatts, for makynge of the some to make leyde in, *ij.* to Symonde Robynson’s wyfe, for a gallon of ayll, *ij.* to John Johnson of Heley, for caryeing of *x* stone of leyde to Massam, *ij.* to Robert Johnson, for fetchyng *xl*

* This is the Book referred to *ante* page 409, which has only been recovered since the preceding sheets were printed off. It is full of very interesting matter. From this book it will be seen that, as is still common in the Roman Catholic Church, Masham Church used to be lighted up with Wax Candles placed before the rood or crucifix; and that this practice was continued until it was prohibited on the completion of the Reformation by an Order in Council, 2 Edward 6th, A.D. 1548, and again revived in Queen Mary’s time. Whilst the practice prevailed, very large sums of money appear to have been annually expended in the purchase of wax, and the making of it up into different descriptions of candles. In it we are able to trace not only the great changes which were, at this period, taking place in the Church, but in the State—the suppression of the Roman Catholic religion and its usages, and mode of worship; and its temporary revival in the reign of Queen Mary—the establishment of the Protestant or reformed religion in the time of Queen Elizabeth—its overthrow by the Puritans during the Commonwealth; and its revival after the Restoration—the continual changes in the Communion Book—the putting up of the King’s Arms in the Church (1605) by way of asserting the King’s right to be “In England the supreme head on earth of the Church”—the pulling down of the King’s Arms (A.D. 1651) by the Parliament during the Commonwealth; and the setting up of the Arms of the Commonwealth in their stead—the setting up again of the King’s Arms (A.D. 1660) after the Restoration—the ringing at King Charles’s Coronation, and on the 29th May. The book is also very valuable in shewing the price of labour, and of different descriptions of commodities at these early dates.

† See as to this *ante* page 417.

stone of leyde * at Pateley Bridge, for horse and man, xij*d.* to Cowper's wyfe, for ij gallons of ayll, *vd.* for blawing the Organse, *ij*d.**

A.D. 1544.—Received of Margaret Dodsworth, for her bequest to the church, *vjs. viij*d.** of Robert Browne, to bye one clothe for the crosse *iijs. iiij*d.** of the sayd Robart, for his bequest to ye church, *vjs. viij*d.** for the rowell Edges of Massam *xij*d.**

Paid for waxe agaynst the Assumpeyon of our Ladye, for makeynge the seyrge afore the royd, *iis. viij*d.** to the Organ maker, *iiij*d.** Symond Robynson, for mendyng the Great Bell, *xd.* for sylke and black threde, *vd.* for mendyng of vestments, *vd.*

A.D. 1545.—Received of Massam rowell eges, *xij*d.** of Ilton, *vjd.* for Heley, *vjd.* for Fearby, *vjd.* for Ellyngstryng, *vjd.* for Ellyngton, *vjd.* for Burton, *ij*d.**

Paid for Oyll to the Lampe, *ijs.* against Chrystmas, to Christopher Williamson, for makyng the serges afor the roydes, *viij*d.** against Easter, to Christopher Williamson, for makyng the serges afore the royd, and for the rowell makyng, *xd.* for answering at Fyngall Court, *iiij*d.**

A.D. 1546.—Received of Robert Langbane, for the rowell eges of Ellyngton, *vjd.* of Ilton, *iiij*d.** and *vjd.* of Ellyngstryng, *vjd.* of Swynton, *vjd.* of Burton, *ij*d.** of Massam, *xij*d.** of Fearby, *vjd.* for Rowell, more than was gathered in the church, *xiiij*d.**

A.D. 1554.—Paid setting up the Royd Altar, *viij*d.** for blew thred, grene thred, and royd thred, for the mendyng of the vestments, *iiij*d.**

A.D. 1555.—Paid to the Prest of Mydylsmore, for mendyng the Organ, *viijs.* for nayls for the Organ, *ij*d.** to Christopher Ardington, for makyng the Rerestore Dore, *ijs. i*d.** for watching the Rerestore, when the Dore was brokynne, *viij*d.** for the Rolle Candle afore the Royd. for mendyng of *ij* albs, *ij*d.** † for making of the Rowell, *xij*d.** for *vj* yards of Lynnen Cloth to *ij* Ratchetts: ‡ to the Clarks, *iijs. iiij*d.**; to Agnes Peckett, for making of the same Ratchetts, *vjd.*

A.D. 1556.—Paid for mending the Prest's Surploses, *iiij*d.** for mending of Vestments and Albs, *vjd.* for making of *ij* Ratchetts, *iiij*d.**

A.D. 1559.—Paid for Ayll, when the Serges were mayd, *ij*d.** for werke making of the serges and the Rowell Candell, *xxiiij*d.** Payd for Communion Boke, *viijs.* for one salter, *xij*d.**

A.D. 1564.—Paid for making one Rachet, *iiij*d.**

A.D. 1566.—Paid to William Wylson, for cordyng of a Grave in the Ladye Quiere, *ij*d.**

A.D. 1567.—Paid for expenses at Rippon, when we were afore the Commissioners, *ijs. iiij*d.**

* It would appear by this entry, and by numerous other similar entries, that about this date the churchwardens were occupied in covering in the Church with lead. The average price paid for lead appears to have been from 4*d.* to 5*d.* per stone; and the ale that was drank by the workmen employed on the works appears to have cost from 2*d.* to 2½*d.* per gallon.

† An Alb, is an ample linen tunic with sleeves, named from its colour, worn next over the cossock and amice. It was, at first, loose and flowing; afterwards, bound with a zone, mystically signifying continence.

‡ A Rochet is a surplice, save that it has no sleeves; and was for the clerk who assisted the priest at the mass.

A.D. 1570.—Paid for taking down of Tabernacles, ix*d*. *

A.D. 1572.—Paid for Communion Boke to Raufe Bell of Rippon, xs. j*d*.

Received of John Horsman, for not standing as a churchwarden, xij*d*. of Christopher Walker for the same, xij*d*. of John Beckwith of Pott, for the same, xij*d*. of Richard Beckwith of Wardermask, for the same, xij*d*. of Humphrey Baine, for the same, xij*d*. of Thomas Johnson, xij*d*. of Henry Atkynson, xij*d*. for the Rood loft, vs.

Paid for the exchange of the Communion Cupe, and the expense about the same, xxs. for making of the Communion Table, and for other charges of workemen abowt the church at that tyme, xs. j*d*. for books—that ys to say, the Homyls and Salter of David, Spalms and other boks, vjs. to the Clarke, for lack of his wages, ijs. iiij*d*. to John Nycollson, that he was behind of his charge, ix*s*.

A.D. 1575.—Paid for bread and wine against Christmas, iiij*s*. to Catherine Bridgewater, for making of a new surplice, and mending of an old, xij*d*. to Richard Watson, for mending of the Poore Boxes and the windows that was broken, ij*d*. to Katherine Bridgewater, for making of a new surplice and a Ratchett, ijs.

A.D. 1580.—Paid expenses of churchwardens when they were commandyt to appear before my Lord Presydent, ijs.

M.—That the Churchwardens of Masham in the yeare of our Lord God 1595, The worshipfull and the xxiiij of the same parish, hath sold all such parcels of church geare as came to their sight, conteyned in one inventory in the same pagina next following, unto Mr. Robt. Wyvell for the summe of vij*l*. † of lawfull Englyshe moneye to be paid as hereafter followeth, viz : at, in, & upon.

An Inventorye made the xxiiijth daye of August, Anno D'ni 1595 [Qy. 1575], of certaine gere belonginge to the parishinge of Masham, in the hands & keepinge of certaine men as hereinafter followeth :—

It.—In the hands of Mr. Marmaduke Danbye, ‡ one Vestment of White Damaske, one Vestment of red dund velvett, with a crosse of blewe Damaske, with an old Vestment of silke, with a lyninge & one coope of velvett defaced.

It.—In the hands of James Beckwith of Masham, one Vestment of dund velvett with a croose, one pece of greene & blewe sattaine in burgies—with five paines of eyther part with two lynynges.

It.—In Christopher Watson's hands of Ellingstringe, one blewe sute of sattaine in burgeis, lackynge the coope, with certaine Laycinges.

It.—In the hands of Robert Wintersgill of Fearby, one purse of velvett, one canobie [canopy] of velvett, with all such things as doth appertaine to the same, xj coxpaxes, § ij old purses, a little Bell, one pece of Fustian.—

* A Tabernacle is an ornamented chest, placed on the altar as a receptacle of the ciborium and pyxis. It is also a canopied stall or niche.

† The £7 was paid by Mr. Robt. Wyvell by instalments.

‡ See *ante* page 262.

§ The linen cloths which were spread over the body (corpus) or consecrated elements in the Sacrament. The design of using them was to represent the body of our Saviour being wrapped in fine linen by Joseph of Arimathea.

in albes, & a pece of a dund Sarsonett some tyme one caire cloth.

It.—In the hands of John Sturdye, one sute of red velvett with grene orfrayes [embroidery], lackinge half of one tunycke with one coope apper-tyeing to the same, of red velvett in the hands of John Beckwith of Swinton, of the hie hall.

It.—In the hands of Christopher Beckwith, one Vestment of red sattaine, with one hand bell.

It.—In the hands of William Kinge of Masham, one Platt of Brasse & one hand bell.

It.—In the hands of John Dodsworth, one coope of blewe sattaine in gauge, ijs. *

It.—In the hands of Edwarde Salyweeke, one Frunt cloth † of Sattaine in burgeis, grene & blewe, with vj paines of blew & vo. of grene with a border of red & black Velvett, with a lyninge & Vo. peeces of a Vestment of grene & red silke.

All the parcels above written was delivered by the churchwardens whose names hereafter followeth, that is to say—James Beckwith, William Thompson of Masham, John Thexton of Healey, & Robt. Wintersgill of Fearby.

A.D. 1596.—Paid to the Cutler of Bedell, ijs. iiij*d*.—when the Dyall stone was got up, vjd.

A.D. 1601.—Paid charges at Richmond when we went about the poore, ijs. vjd.—at Richmond, when we went about the Recusants, ijs. vjd. to a Preacher, vjd. to bread and wine for the whole year, xxixs. for a whipping stocke, iijs. Spent at York, when they went about the Sequestration, iijs. iiij*d*. for lying stones flatt in the church, iiij*d*.

A.D. 1602.—Paid for lying stones flatt over the graves, ij*d*.

A.D. 1603.—Paid for one new Pulpitt, xvjs. for lying stones flatt over the graves, ij*d*.

A.D. 1605.—Paid for the King's arms, xs. for lyeing stones flatt in the church, viij*d*. Thomas Wilson, for railes and making the same, and settinge up the King's arms, vjs. viij*d*.

A.D. 1608.—Paid to the Bell Founderer, for exchange of two bells. xiiij*l*. for straw, iiij*d*.

A.D. 1612.—Paid for a new Table, xijs. for a new Bible and fetchying of it, lvs. vjd.

A.D. 1613.—Paid for a new Communion Book, vs.

In the yeare of our Lord God 1624, the Organs in Massam Church was builded not by a cast lay or 'sessment, but upon gratuitie—what every man was willing to give—Christopher Beckwith, and William Johnson of Masham, and John Hodgson of Fearbie, and Edward Smorthwaite of Healey, being Churchwardens.

A.D. 1624.—Paid for a locke for Rerisore Dore, xiiij*d*. payd to Mr. Stubbs, for a sermon, ijs. vjd. for blowinge of the Organs, iiij*d*.

* Surely, it is not here meant to say that one of the sacred vestments of the church was in pawn or pledge for 2s.

† The Front-cloth or Frontal was a square piece of linen cloth covering the altar, and hanging down from it—otherwise called a *Pall*.

A.D. 1626.—Paid for playing on the Organs, ijs.

A.D. 1627.—Paid for mending the church dores, and the church yeats, and a marriage table, and a planck for the Rerestore Chamber, iiijs. to Mark Hodgson, for playing on the Organs, vs.*

A.D. 1628.—Payd to Mr. Fisher, for a sermon, ijs.

A.D. 1629.—Paid to Mr. Turner, for a sermon, ijs.

A.D. 1631.—Payd to Mr. Winfeld, for a sermon, iijs. vjd. to Mr. Turner, for a sermon, vs.

A.D. 1632.—Paid for a new Communion Booke, viijs. vjd. for the Article Booke, ijs. for paper at Bedall for writing for the poore, jd. Our charges three several dayes at Bedall, concerning the poore, vs. for a Booke of Constitutions and Canons Ecclesiastical, xijd.

A.D. 1633.—Payd when we met to appoint Sydemen, viijd. to Mr. Lofthouse, for two sermons, iiijs. Payd to the Bell-founder, jxl. Payd at Kirby Wisk, when the third Bell was cast in charges, xjs. Charges when the Bell was taken down and hung up, ijs. vjd.

A.D. 1634.—Payd for beautifying the church, xl. for screan for the pulpit, and making it fast, xxjd. for playing on the Organs, vs. Jiner for a Beere, viijs. vjd. to Mr. Strother, for two sermons one day, vs.

A.D. 1635.—Paid for playing on the Organs to Noah Hodgson, js. for a warrant from the Justices for making a Presentment for Recusants, xijd. to Thomas Bridgewater, for makeing the Rayle about the alter, jl. xiijs. iiijd. † for mending the Parke pale, ijd. to Thomas Bridgewater, for a frame to place the names of the Fower and Twenty in, xijd. for a skin of parchment for wryting the Indenture of the Fower and Twenty to Noah Hodgson, Pish. Clarke, iijs. iiijd. to Noah Hodgson, Pish. Clarke, for wryting the accounts, iijs. iiijd.

A.D. 1636.—Paid to Brian Sweeting, for making the clock, iijl. Spent on the clock-maker, xijd.

A.D. 1639.—Paid to John Pryston, for mending the Organs, £2.—Bestowed on him in drynk, 2s. for the Ornaments to the Church, £6 2s. 10d. for mending the Ornaments, and settinge the Fryndge on, 6d. Thomas Bridgewater, for removing the Desk, 1s. 4d. for a book for the King's-day, 1s. for the book of new Cannons, 1s. Given Smith, for carryinge the Presentment to York, 4d.

A.D. 1641.—Paid for the book of Common Prayers, 5s. 7d.

A.D. 1642.—Paid Saxton, for gettinge Hollinge to the church, 6d. John Wilson, for borrowing a cupp and flaggon, 4d.

A.D. 1646.—Paid for charges when we did goe to distraine in the Parish, 8s.

* Mark Hodgson was the eldest son of the Rev. Thomas Hodgson the curate, and was elected A.D. 1624, by the Twenty-Four with the consent of the Vicar, as parish clerk and organist.

† Altar rails, as such, and as distinguished from the Chancel screen, were not known before the Reformation. Archbishop Laud ordered the Altar Table to be set up in the Chancel, and to be protected by Rails. Altar rails, shortly after this, became a mark of the hostility of the Puritans, and accordingly were everywhere destroyed by them during the Commonwealth, as appears by the Journal of William Dowsing, Parliamentary Visitor of Churches in the Great Rebellion.

A.D. 1647.—Paid Mr. Atkinson, for 2 sermons, 8s. 6*d*.

A.D. 1649.—Paid for a distringuide servinge, 10*d*. to Mr. Browne, for preachinge and serving the Cure, from the first day of April, 1649, to the first of October after, 12*l*. 16s. 8*d*. to Mr. Shaw, for a sermon, 6s. 8*d*. In charges to the Bell-founder, 3s.

A.D. 1650.—Paid to the Praisers that praises those things that was distrain'd, 1s. Spent when we put in the Overseers, 8*d*. for going to distrain in the parish, 2s. for goinge to distraine with the 4 men, 2s. for a warrant to distrain with, 1s. Given to a Preacher's wife and 7 children, 2s. 6*d*. to a Preacher, for a sermon, 2s.

A.D. 1651.—Paid to Henrye Crookay, for abolishinge the Kinge's Arms, 2s. 4*d*. for Aile, when the Kinge's Arms was abolisht, 6*d*. for settinge up the Stait's Arms, 6s. 8*d*. for worke and nayls about them, 4*d*. for charges the same tyme, 4*d*. to Chambers, for his help when the King's Arms was abolisht, 5*d*. Makeinge a fraym for the Church Orders, 3s. 3*d*. for writing the Church Orders, 2s. 6*d*.

A.D. 1652.—Paid to Robert Woolley and Marmaduke Smorthwaite, for going to ye Justices for a warrant, 3s.

A.D. 1653.—Paid to the fower Churchwardens, for goeing to Bedall for a warrant, 2s. 8*d*. for the Warrant, 1s.

A.D. 1654.—Paid to Mr. Newman, for preachinge, £1. 0s. 0*d*. *

A.D. 1655.—Given to a Minister, 2s. for goeing to Bedall to the sessions, for a warrant, 1s. for the warrant, 1s.

A.D. 1656.—Paid for Cloath, for the Saxton's gown with furniture and making of it, £1 2s. 2*d*. to two churchwardens, for goeing to the sessions about the warrant, 4s. 6*d*. Given to Mr. Newman in money, £1 10s. 0*d*. to Thomas Bridgwater, for shifting the Saxton's chair, 6*d*.

A.D. 1657.—Given to Mr. Newman, by the consent of the Four and Twentye, 10s. Given to a Preacher and his charges, 3s. Payd to Thomas Wood, the Bell-founder, for castinge and fyndinge mettall for the Great Bell, £18 1s. 0*d*. for a warrant to distraine, 1s. At the request of Mr. Beckwith, the 24^{tie} was pleased to give Veal's daughter £1 6s. 6*d*., for taking two Pennacles down, and in charges, 2s. 4*d*., for taking another Pennackle down, 1s. 6*d*. In charges, for goeing to Tanfield to Justice Beckwith, 1s.†

A.D. 1659.—Given to a poor Preacher, for two sermons and in charges, 11s. Given to Mr. Beckwith's man, for a warrant to distraine, 2s. Payd for a warrant and going for itt, 1s. 8*d*.

A.D. 1660.—Paid to the Ringgers on Coronation day, 6s. 5*d*. to the churchwardens, for going into the parishe to distraine, 2s. for the King's Arms settinge upp, makeinge a fraym and in charges about them, 15s. 10*d*. to George Oyle, for settinge uppe the Funt and other warke, 6s. 6*d*. to Henry Gray, for one day's work at the Funt, 10*d*. For Lyme to the Funt,

* Mr. Newman was one of the Nonconformist Ministers who were put into the Church at Masham during the Commonwealth.

† See *ante* page 357.

1s. For mendinge the Funt coveringe, 1s. 4d. For the Funt roapes,* and payntinge stufte to the Funt, 16s. To Noah Hodgson, for paintinge the Funt, 1s. For culleringe the Funt again, 1s.

A.D. 1661.—Bestowed on Mr. Sanderson, for Aile when he preached, 1s. For the books of Common Prayer, 5s. Given unto the Ringgars, on the 29th May, 6s. 6d. For a new Prayer to the Church, 2s. 4d.

A.D. 1662.—Paid for our Oaths before the Bishopp's Commissarye att Rippon—8 sworne, 10s.

A.D. 1663.—Disburst for a quart of Wyne, for Mr. Brown, 9d. Bestowed upon the Painter that came with an order for beautifyinge the churche, 2s. For a gown for the Sexton, with trimmings and making of itt upp, £1 4s. 0d. Mr. Browne sold the olde Challice for one pound and eleven shillings, and he had payd to itt towards the buyinge of a new Challice, £3 17s. 6d.

A.D. 1664.—Paid for exchaingeinge the old flaggon for a new one, 4s. For leade to mend the Funt with, 4d.

A.D. 1665.—Paid to the Painter, for paintinge the Creed and the Lord's Prayer, 18s. 4d. For mendinge the Funt and Frynge for the same, 2s. 8d. For a little Bell for Richard Chambers, 3d. To Mr. Brown, for 2 Bookes for the Visitation, 2s. For paintinge for the Funt, 2s. 6d.

A.D. 1666.—Paid for goinge into the Parish to summon in the Recusants, 2s.

A.D. 1667.—Given to a poor Preacher, 1s. 6d.

A.D. 1668.—Paid for writinge a Note, for the 24^{tie} to sett their hands for ye churchwardens to distraine, 1s. Given by the consent of the 24 towards the Fyre at London loss, £1 0s. 0d.

A.D. 1669.—Paid for writinge a Note for the Fower and Twentye to set their hands to distraine, 1s. In charges bestow'd upon Mr. Lancaster and Mr. Nicelson, for preaching, 2s. 6d. To William Beckwith and Henry Pickersgill goinge to Healey to distraine, 1s. To Robert Glewe, for distraininge, 8d.

A.D. 1670.—Paid to two Churchwardens, for goeing into Burton Constabulary several tymes about the distraininge of the Quakers, 1s.

A.D. 1672.—Paid for writeinge a Presentment and a note for the churchwardens to distraine, 1s. 6d.

A.D. 1673.—Paid to the Sexton, for a new gowne and makeinge it upp, 18s. 6d. In charges when Mr. Nickolson preached, 1s. In charges when Dr. Samwayes preach't, 1s. In charges when Mr. Prockter preach't, 6d.

A.D. 1674.—Paid for writeinge a Presentment, and an order for to distraine, 1s. 6d. Bestow'd on Mr. Brown in Ayle, 1s. In charges when Mr. Seroop preach't, 1s.

A.D. 1675.—Paid in charges when Mr. Prockter preach't at Massam, 2s. In charges when Mr. Dickenson preach't the first tyme, 1s. 6d.—when Mr. Dickenson preach't the second tyme, 1s. 6d. In charges when Mr. Sanderson preach't, 4s. Bestow'd in Aile upon Mr. Brown, 1s.

* It would seem that canopy, or covering of the Font, was, at this time, raised and lowered by a rope.

A.D. 1676.—Paid to Mr. Scroop for preaching, *xs.*, and in charges, *1s. 9d.*
 In charges when Mr. Plaise preach't, *2s. 8d.* In charges when Mr. Scroop
 preach't, *2s.* In charges when Mr. Procter preach't, *1s. 3d.*

In perpetuall remembrance to posterity, and in acknowledgment of the thanks of the 24^{ty} and the parishioners of the Parish of Masham to the Right Honorable Thomas Lord Vycount Wentworth,* Lord Lieutenant & Lord President of these north parts, & one of the executors of the right worshipfull Elyzabeth Danby, widow, late of Pott, deceased; & to the right Worshipful Roger Beckwith of Aldborough, Esquire, that it hath pleased his Lordship forth of the personal estate of the sayd Mrs. Danby in demonstration of hir charity and affection to the poore, to give £20 to the sayd Parish of Masham; and that the sayd Mr. Beckwith, forth of his charity & zeale, hath likewise given other £20, to be disposed of by the sayd 24^{ty} to the benefitt of the sayd poore and parish. We the said 24^{ty} have this present St. Andrew day, 1629, mett together, & with one general consent have agreed to record in our Church Booke, the said religious & free gift, & have further concluded & agreed that the rents & profits thereof shall be forever dytributed & given to the bynding apprentycees such poore children, born within the Parish of Masham, as by the major voyce of the sayd 24^{ty} shall be elected with the approbation of the heyres of the sayd Mrs. Danby & of Mr. Beckwith & his heyers forever. Lastly, it is concluded by us that there shall be eight Feffees chosen, one forth of every Townshipp of our sayd Parish, in whose names shall be taken all assurances & securityes for these moneys, and all such other moneys as may hereafter be given to the same use; and that upon every St. Andrew day next after the death of any of the Feffees, others shall be chosen by the sayd 24^{ty}, and that the Feffees liveing shall, on St. Andrew day, make yeareley account to the sayd 24, to whom they shall have disbursed the rents & profits of the sayd moneys, and shall likewise record in the Churche booke the names & their par'tes names of such as shall be bound apprentices with the somme or sommes of moneys payed for them, & every of them, and the tyme when & to whom, and to what trayde and place they were bound. In witness whereof we have subscribed our names the day and yeare above sayd. Signed, Roger Beckwith, Solo. Wyvell, James Dodsworth, Christopher Beckwith || his mark, Jo. Beckwith, William Buckell, Thomas Jackson || his mark.

* He afterwards became the Earl of Strafford. He was the nephew of Elizabeth Danby, here referred to, who, as will be seen *ante* p. 265, died about the 10th January, 1629.

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THE END.

ADDENDA ET CORRIGENDA.

Page 24.—The correct acreage of Masham Parish, according to the Ordnance Survey, is as under, viz. :—

					ACRES.
Township of Masham	...	...	...	...	2347
„	Swinton-with-Warthermarsk	...	...	...	1967
„	Ilton-cum-Pott	...	...	...	2310
„	Fearby	...	...	...	890
„	Healey-with-Sutton	...	...	...	4993
„	Ellingtons, High and Low	...	...	...	1790
„	Ellingstring	...	...	...	429
„	Burton-upon-Yore	...	...	...	2288
Total acreage of Masham Parish					17,014

The Rateable Value of the several Townships within the Parish, as ascertained by the Assessments Committees for the present year, 1864, under the “Union Assessment Committee Act, 1862,” is as under, viz. :—

					£	s.	d.
Township of Masham	...	...	...	...	3950	0	0
„	Swinton-with-Warthermarsk	...	...	...	1847	0	0
„	Ilton-cum-Pott	...	...	...	1358	0	0
„	Fearby	...	...	...	1079	10	0
„	Healey-with-Sutton	...	...	...	2303	15	0
„	Ellingtons, High and Low	...	...	...	1772	15	0
„	Ellingstring	...	...	...	438	0	0
„	Burton-upon-Yore	...	...	...	1953	5	0
Total rateable value of the Parish					£14,702	5	0

Page 25.—The mode of laying the Church-rate here mentioned, has been recently abandoned, for the reasons mentioned in the text, as being incorrect.

Page 33.—The opinion of another counsel having been obtained upon the subject, which coincided with my views as expressed in the text, the Four and Twenty are now acting upon it, and such of the members of the Four and Twenty as were residents within the new Parish of Healey have resigned their offices, and their places have been filled up by others resident within the Parish of Masham.

Page 49.—In the sixth line *dele* “he”

Page 57.—In the top line *dele* the words “his brother Morcar.”

Page 80.—In the sixth line from the bottom *dele* “it seems.”

Page 89.—In the third line *dele* “in Scotland,”

ADDENDA ET CORRIGENDA.

Page 96.—According to “Walbran’s Memorials of Fountains Abbey,” pages 272, and 329, not only Sir Christopher Danby, the then Lord of Mashamshire, but a great number of the Mashamshire men, took part in the Rebellion of “The Pilgrimage of Grace.” Mr. William Stapleton (who was one of the Captains of the Insurrection) in his confession says, “On a Wednesday, about Michaelmas day then last passed [the 29th Sept. 1536] there came to the garth or Court of the Abbey of Jerveaux—about five miles from Middleham,—two or three hundred of the Inhabitants of *Mashamshire*,” and then proceeds to describe the acts of violence which they then committed. Strange as it may seem, yet it is not the less true, that Sir Christopher Danby not only escaped punishment for the part which he had taken in the Insurrection, but was actually the Foreman of the Grand Jury on the trial of the parties implicated in it.

Page 110.—In the bottom line for “occupied by Mr. Charles Lee, but now by Mr. Jefferson” read “occupied by Mr. Henry Jeff, but now by Mr. Mason Verity.”

Page 192.—In the top line for “Swire” read “Squire.”

Page 248.—In the ninth line from the bottom begin a fresh line with the words “He married secondly, Mary.”

Page 287.—From the Mary Norton mentioned in the ninth line is descended John Yorke, Esq., the present owner of Bewerley.—See Grainge’s *Nidderdale*, page 49.

In the seventeenth line after “Richard Norton” add “who married Margaret, daughter and heiress of Francis Hall, of Worsall, Yorkshire, and by her had issue.”

Page 288.—Margaret Bartlett was Leonard Fothergill’s second wife. His first wife Elizabeth died 1st November, 1694, and was buried in Masham Churchyard.

In the last line but one in the Text, for “John Ascough” read “Thomas Ascough.”

Page 297.—Timothy Hutton, Esq., of Clifton Castle, died at Clifton Castle on the 17th of November, 1863, and was succeeded in the Clifton Estate by James Pulleine, Esq., of Crakehall.

Page 307.—In the thirteenth line from the bottom, for “B.D.” read “D.D.”

Page 328.—William Kinwoldmersh, mentioned in the fourth line from the top, was Treasurer of England,

Page 333.—Gilbert Horsman, B.D., was born at Kirkby Malzeard, and was a Fellow of University College, Oxford. He was installed Vicar of Masham, and Kirkby Malzeard, in 1603, and died 4th June, 1638, aged 75 years, after having been Vicar of Masham 36 years.

William Favell was born A.D. 1559, at Burnsay, in Craven. He became Curate of Masham A.D. 1591, and died 7th July, 1624, and was buried in the Chancel of Masham Church.

Page 334.—Thomas Hodgson was born at Ingerthorp near Ripon, and was Reader of Divine Service, and Schoolmaster, at Kirkby Malzeard. He entered into Priest’s Orders, and into the Curacy of Masham, in August, 1623.

Mark Hodgson was also born at Ingerthorp, A.D. 1611. He was Reader of Divine Service, and Schoolmaster, at Kirkby Malzeard, under the Rev. Gilbert Horsman, B.D. He entered upon the Curacy of Masham on St. Mark’s Day, 15 Charles I., A.D. 1639, and died in October, 1679.

ADDENDA ET CORRIGENDA.

Page 336.—At line 17, for “John Carter Swire” read “John Carter Squire.”
For the Rev.——Munby read “The Rev. Joseph Edwin Munby.”

Page 339.—In the twenty-third line, between the words “in” and “law” insert the word “the.”

Page 393.—In the fourteenth line, for “Edward Carter, Esq.” read “Christopher Carter, Esq.”

Page 404.—It appears by a memoir of Ibbotson, attached to the second edition of his “Accidence, or Gamut, of Painting in Oil,” published after his death, viz., in 1828, that he was the son of Richard Ibbotson, and that in consequence of the death of his mother by a fall upon the ice when she was pregnant, he was brought into the world on the 29th December, 1759, by the Cæsarian operation, hence his name of “Julius Cæsar,” the first name being after the name of his maternal grandfather, and the latter name from the manner of his birth. He received the first part of his education from the Moravians (of which body his father had been a member) and afterwards, on his father’s removal to Leeds, at the Quaker’s School in that town. Having from his earliest years evinced a decided predilection for painting, his father apprenticed him to Mr. John Fletcher, a ship painter at Hull. At eighteen years of age, on his master retiring from business, he went to London, where he spent several years in the painting of pictures, for a picture-dealer, and thereby acquired considerable knowledge of pictures, especially those of the Flemish and Dutch Schools. In 1780, he married, but his wife died in 1794, leaving him with two sons and a daughter. In 1788, he went out as draughtsman to an Embassy to China, with The Honourable Colonel Cathcart, in the *Vestal Frigate*, Captain Sir R. J. Strachan. His Ambassador having died on the passage out, and as no successor could be appointed, the vessel returned immediately to England, and Ibbotson lost his whole year’s wages, which plunged him into pecuniary difficulties. To compensate him, however, for his loss and disappointment, his friends procured for him an offer of an appointment in Lord Macartney’s Embassy to China, but Ibbotson could not be induced a second time to accept such an engagement. After undergoing many hardships on account of his pecuniary embarrassments he quitted London in 1798, when he visited the Lakes of Westmoreland, at which place, in the following year, he fixed his residence.* In June 1801, he

*According to “Notes and Queries,” (Vol. viii. of New Series, page 96) there is a local tradition that whilst Ibbotson was residing at Ambleside, he used often to ramble as far as the picturesque valley of Troutbeck, which is about four miles from Ambleside, to indulge in the double enjoyment of the sweet scenery around, and the “home brewed” within the humble ale-house there; and that in acknowledgment and commendation of the latter, he painted a sign with two faces, each “looking the character” admirably, the one being that of a stout, jolly-faced toper with rubicund nose, and the other that of a thin, white-faced, lantern-jawed chap, the veritable picture of a modern teetotaller, and with labels from their mouths thus inscribed:—

“Thou mortal man, who liv’st by bread,
What is it makes thy nose so *red*?”

And,

“Thou silly oaf with nose so *pale*,
It is with drinking BIRKET’S ale.”

The Painting has been supplanted by its title in plain letters “The Mortal Man,” but the old people say that they still remember it, and that they admired it, and that it is now preserved in Carlisle.

7 Dec 1880

Page 417.—Add to the last Note “It would appear, however, by some entries in the Old Book above alluded to, that during the Commonwealth, and after the functions of the Ecclesiastical Court had been put an end to, or suspended, but not before, Church rates were in some instances recovered from defaulters by distresses upon their goods—in the first instance, evidently by the authority of a Warrant of Justices, and probably afterwards, and in course of time, by what was called a Warrant of the Four and Twenty themselves, but which was in point of fact no warrant at all, but a mere undertaking on the part of the Four and Twenty to indemnify the Churchwardens from loss, in case of any distresses they might make for Church rates, for copies of such supposed warrants are still in existence. The mere circumstance of the Churchwardens requiring such indemnities from the Four and Twenty, shewed that they considered their right to make such distresses to be but doubtful. Probably the practice of the recovering of Church rates by distresses upon the goods, had its origin in an Ordinance of Parliament made during the Commonwealth, dated 8 November, 1644, by which all persons were enjoined to pay all kinds of Tithes and Church duties, and in default thereof, it authorized two Justices to summon the offenders before them, and to grant warrants authorizing the constable to distrain, and sell the offender's goods.”



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